

A HISTORY OF HINDU POLITICAL THEORIES.

From the earliest times to the end of the first
quarter of the Seventeenth Century A.D.

U. GHOSHAL, M.A., Ph.D.

*Professor of History, Presidency College, Calcutta ;
Lecturer in Comparative Politics, Calcutta University.*

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To
The Sacred Memory of
S. G.

Born 1897.

Died 1916.

PREFACE

The present work is an attempt to trace the political thought of the 'Hindu' people through the long and varied history of its origin, development, and decline.

The historical presentation of the Hindu theories of the State and Government is at this moment one of the great *desiderata* in the field of Indology. It is a welcome sign of the times that since the preparation of this volume was first undertaken, there has been a plentiful crop of books and papers bearing more or less directly upon selected areas of its subject-matter. So long however as there is a tendency, as at present, to depend mainly, if not exclusively, upon the analytical method, there is the risk of interpreting the concepts and categories of the Hindu thinkers in disregard of the limiting conditions of time and place. In the present work while analysis and comparison have, it is believed, received their due measure of attention, the object has been principally to unfold the record of the Hindu political mind in the order of its historical evolution as far as practicable. It has thus been possible to present the ideas concerned in their true historical perspective, and further and above all, to explain the process of their growth and development. It has thus become evident that Kautilya's 'Arthasāstra' and the Śāntiparvan section of the Mahābhārata, to quote one example, are not solely or even principally a repository

of the older political ideas but probably register distinct advances of thought. Further, it has been shown that the remarkable theories of the kings origin in the Mahābhārata and the Mānusaṃhitā exhibit a complex blending of ideas presumably produced by a reaction against the anti-monarchical tendencies of the Buddhist theory of contracts.

Next to the urgency of treating Hindu political thought on historical principles may be mentioned the necessity of precise analysis of its leading tenets. Principally because of the paucity and obscurity of the literary material there has been in this case the danger of reading modern ideas into the old texts or at least stretching their meaning to a degree unwarranted by the evidence. It has been the author's aim to avoid these pitfalls and confine himself as far as possible to an objective interpretation of his subject. This has involved the discussion of the exact signification of such technical terms as *prajñā* and *danda* and has led to the consideration of such current views as those crediting the Hindus with the notion of popular sovereignty and the like.

While at the present time the provinces of political theory and of the institutions of the State are recognized to be distinct from each other in so far as their historical treatment is concerned it is no doubt desirable for the sake of completeness that the historian of political theory in India should keep himself as closely in touch with the current living facts of political life as his counterpart in the West. In the present instance I merely mention the method of treatment indicated above as precluded by the circumstances in which

the actual history of Indian institutions is still involved. Hence all that can be attempted is to bring out, as the author has sought to do, the general bearing of the institutions upon the growth of ideas.

A history of Hindu political thought, it may seem, should involve some digression into the general system of Hindu philosophy, for some of the root-ideas of the former, such, e.g., as the doctrine of creation of the social order, are embedded in the ideas and principles of the latter. It is, however, a remarkable fact that the study of statecraft and cognate topics branched off at an early period in the history of the race from the general stream of Vedic culture and formed an independent branch of knowledge which might be called a secular science, were it not for the pronounced disinclination of the Hindu mind to conceive the secular life as the antithesis of the religious. In regard to the theories of the Brahminical canon, it may be observed that questions relating to the origin and nature of the king's office and the like, have been treated in so far as they are so treated, on the basis of broad theological principles, e.g., the creation of kingship by the will of the Supreme Being. In these circumstances it has been held that a general treatment of such religio-ethical or socio-religious concepts as Dharma and the institution of the castes and orders is sufficient for the purposes of this work.

Apart from the intrinsic merit of the ideas dealt with in this volume and their value in illustrating the genius of Hindu culture, the principal interest of a work such as the present lies, it would seem, in

its furnishing the data from an Eastern point of view of a true science of Comparative Politics a science taking cognisance of distinct types of institutions and theories conceived to be rooted in different conditions of existence and forms of race-consciousness and involving the fullest recognition of the multilinear evolution of human social organisations. To fulfil this important end it would seem necessary to appraise the concepts and categories of the Hindus especially in the terms of Western political theory. A task of this magnitude can not be attempted in the present volume, but a few important hints it is believed have been thrown in at the end to help the solution of the problem.

A considerable portion of this work formed the subject of a thesis that was approved by the University of Calcutta for the degree of Doctor of Philosophy in 1922. The extracts from the Sanskrit and Pali works which it will be noticed on examination are many and copious have been put in partly for their illustrative value and partly to ensure a correct interpretation of their meaning. Except in the case of the standard versions in the *Sacred Books of the East* the *Sacred Books of the Buddhists* and the *Harvard Oriental Series* the translations are made directly from the original.

The author offers his tribute of grateful regard to Dr. Brajendra Nath Seal M.A. F.R.S.E. Vice-Chancellor, Mysore University for his stimulating discourses which have suggested some portions of this work. To his friend and colleague Late Siva Prasad Bhattacharya M.A. he is greatly indebted for

ungrudging help in the preparation of translations from the Sanskrit, while another esteemed colleague Prof K. Zachariah B.A. (Oxon) has earned his thanks by the translation of an extract from the Italian work of G. B Bottazzi on Kautilya and Thucydides. To another friend Prof. Rabindra Narayan Ghosh M A., Vice-Principal, Ripon College, Calcutta, the author makes a special acknowledgment for a number of valuable suggestions and criticisms. Nor must he fail to record 'in this place his profound' appreciation of the keen interest shown in his production by Sir Ashutosh Mukherjee, Vice-Chancellor, Calcutta University Finally, it is the author's wish that his work should be associated with the kind solicitude of his respected teacher Prof. Adhar Chandra Mukherjee M.A.B.L., and his friends Kumar Sarat Kumar Ray M A , Mr. Akshay Kumar Maitra C.I.E., Mr. Rama Prasad Chanda B A , and Professors Radha Kumud'and Radha Kamal Mookerji.

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ERRATA

- p 32 line 12
p 38 line 9
p 33 line 20
p 42 line 27
p 39 line 19
p. 43, line 25
p 49 footnote line 6
p 53 footnote line 12
p. 54 footnote line 4
p 66 footnote line 3
p 81 line 11
p 84 footnote line 22
p 116 line 9
p. 137 footnote line 4
p 155 footnote line 2
p 146 footnote line 1
p 175 footnote line 1
p 183 footnote line 8
p 238 line 5
- c } delete of Divine Right.
} for Divine Right read divine
} creation
for Suṭa read Sūta
delete Social before Contract.
} for H O R read H O S.
for Śāntiparvam read Śāntiparvan
for secular read secular
for amātvādih read amātya etc
for he read it.
{ The correct title of G B Botta
and a work is *Predecessori di Niccolò
Machiavelli in India ed in Grecia;
Kautilya e Trucidio*
{ for nemimekanta radīpājāh read
{ nemimekāntarādīpājāh.
for kartrineno read kartrineno
for tubyā read tulyā.
for becomes read become

INTRODUCTION

The Hindus belong to the category of peoples who have left their impress upon the pages of history as the founders of original systems of political thought. The foundation of the Hindu ideas of the State was laid at a time and in a region which ensured their indigenous origin. In the long and varied history of their subsequent development and decline, even at the points of the closest contact with extraneous systems of thought, there is no reasonable room for doubt, regarding either the native source of their inspiration or else their national stamp

It thus appears that the factors that helped to give rise to the political theories of the Hindus must have been embedded in the peculiar conditions of the land and character of its people. The most general factor that fostered these theories appears to have been the variety and multiplicity of the States that crowded the stage of Indian history in ancient times. India, as has been well said, is the type of endless diversity strangely yoked with an underlying unity. In the political sphere the unifying idea has struggled unceasingly with the deeply rooted tendency towards disruption, and hence empires of greater or smaller extent and duration have alternated with a bewildering maze of petty States. But the Indian States were not, contrary to the usual view, modelled

after a uniform pattern that of despotic monarchy. The political history of India reveals at frequent intervals from the earliest period down at least to the fifth century A. D. a number of republican constitutions existing side by side with the familiar monarchic governments. It is evident that these conditions offered an exceptionally wide and rich field for the investigation of the concrete facts of political life and the formulation of general principles regarding their nature. Further the intense strain and tension in which in the absence of an effective international law guaranteeing the safety of the weaker States against the stronger the lives of most Indian governments were passed had the result of making the Art of Government (Arthasāstra) a subject of burning interest. The same cause appears to have given rise to a remarkable notion underlying all the rules of the Arthasāstra and much of the rules of the Brāhmanical canon namely that the State, while subject like all human institutions to the influence of chance, was essentially a work of art requiring the exercise of the highest qualities of mind and body for its successful direction. The last influence that seems to have stimulated the political speculations of the Hindus was sectarian rivalry. It is true that in the long run the political ideas of the people transcended the differences of sect and assumed a more or less stereotyped character. Thus the theories of the State that are embodied in the Jaina legal and political treatises are in substance the replicas of the corresponding ideas of the Brāhmanas. In the early phase of its growth however Hindu political thought found in the divergence of sects a powerful

stimulus. Thus the challenge thrown out by the Buddhist divines to the standard orthodox doctrine of the origin of society apparently led to the theory of Contract, while the reply of the Brāhmana canonists in the Manusamhitā and the Mahābhārata involved the formulation of theories largely tinged with the dogma of the divine creation and personality of the king

Such in our view are the factors that helped to sow the seeds of political speculation on the Indian soil. It is, however, idle to disguise the fact that scholars of undoubted eminence have pointed to certain alleged tendencies of the Hindu national character as disqualifying the people from conceiving the idea of the State. It was a little over half a century ago that the illustrious Prof. Max Muller delivered his verdict on the genius of the Hindu people in words that have become classical. "The Hindus," he said, "were a nation of philosophers. Their struggles were the struggles of thought; their past, the problem of creation; their future, the problem of existence. . . . It might therefore be justly said that India has no place in the political history of the world."* This celebrated dictum, which was justified at the time of its pronouncement by the darkness in which the history and the literature of ancient India were still enveloped, would seem to call for no serious notice at the present day, when immense strides have been taken in almost every branch of Indian antiquities. It is, however, a tribute to the enduring influence of Max Muller's teaching

* *History of Ancient Sanskrit Literature*, 1859, p. 31

that his verdict is still accepted in scholarly circles in the present times. Thus it is confidently declared by a recent writer in words echoing the classical lines cited above 'The Orient in general, India in particular did not conceive the idea of the State.

To employ a Christian expression, the sole city for the Indian sages is the city divine '* Another eminent scholar attributes to the religious institutions of the Hindus the same dominating influence as is attached by Max Müller to their religious ideals.

From the beginning of India's history " writes Prof' Bloomfield 'religious institutions control the character and the development of its people to an extent unknown elsewhere. The religious life of the Brahmanical Hindu is divided into the four stages of religious disciple god fearing and sacrificing householder contemplative forest-dweller and wandering world abandoning ascetic. Such at least is the theory of their religious law. There is no provision in such a scheme for the interests of the State and the development of the race."†

Such is the estimate of the Hindu cultural ideals and institutions that modern writers seem to have inherited as a sacred legacy from the late Prof Max Müller. And yet, when tested in the light of sober fact it is found to be no more than a half truth. To prove the hollowness of the charge that the ideals of the ancient Hindus were pitched in an exclusively religious key it is not even necessary to refer to the remarkable blending of secular and religious types

Janet *Histoire de la Science Politique* tome I p 26
English translation by the present writer

† *Religion of the Veda* pp 45

in the extant literature of India and in its traditional lists of sciences (vidyās)*; or to the multiplicity of its practical arts (kalās)† and the multiple developments of its State consciousness.‡ The same purpose is likely to be served by a careful study of the story of the development of the Hindu mind that is unfolded in these pages. This, it is expected, will show that the State was regarded in Hindu eyes as an essential instrument for securing not merely the whole life, but also the bare existence, of the people. This conception led not only in the 'secular' Arthaśāstra but also in the later Brahminical canon to the view that the State was within certain limits virtually an end in itself. Another point that it is hoped to demonstrate in the course of this work is that the Hindu scheme of social order involved not merely

* The list of vidyās is sometimes (Kauṭilya I 1, Kāmandaka III 1, Maṇusamhitā VII 43, Śukranīti I 152-154) given as four, sometimes (Vāyupurāṇam III 6, 28) as eighteen, and sometimes (Sukranīti IV 3 27-30 etc.) as thirty-two in number. Each of these lists contains some secular branches of knowledge. Thus the first and the shortest list comprises Politics (daṇḍanīti) and Economics (vārtā), in the second list are included medicine (āyurveda), military science (dhanurveda), music (gandhārvavidyā) and Politics (arthaśāstra), the last list contains Politics (arthaśāstra), Erotics (kāmaśāstra), fine arts (śilpaśāstra) and other subjects.

† The number of kalās more than rivalled that of the sciences as it consisted, according to the ordinary enumeration, of sixty-four kinds. Cf. Sukranīti IV 3. 67-100.

‡ The Hindu view of the International States-system (maṇḍala) comprised a group of States varying from two to fifty-four according to different authorities (vide Kāmandaka XII 20 ff.), although the usually accepted number was twelve. The forms of diplomacy and foreign policy, moreover, were arranged by the Hindu writers under four and six heads respectively, which were further subdivided as well as rearranged into composite types.

the horizontal division into orders (*āśramas*) but also the vertical division into classes (*varṇas*), besides involving the king who was in many respects *sui generis*. In this scheme the Kṣatriya 'householder was required to be not merely 'god fearing and sacrificing' but also to protect all other classes. The function of protection, indeed was the special province of the king and so highly was it esteemed that the kingly duty (*rājadharmā*) was held in the *Mahābhārata* to be equivalent in moral values to the duties of the four castes and the four orders put together.* Above all the primary law of self preservation was held in such great respect in the Brahminical canon that individuals and classes were permitted for the sake of livelihood to assume in times of difficulty abnormal functions which were aptly designated as emergency duties (*āpaddharma*). In the sphere of public life the application of this principle is illustrated by the rule of the *Mahābhārata* authorising all classes to take up arms in self-defence when the king's power wanes and the social order vanishes,' as well as by the injunction requiring submission to any one, even a Śūdra, who saves society from anarchy †

Nevertheless there is a grain of truth concealed in the estimate of Hindu cultural ideals and institutions to which reference has been made above. It is an undoubted fact that the ancient Indian atmosphere was pre-eminently charged with the religious spirit. Nothing indeed shows this more clearly than the fate that overtook the materialistic schools of

Vide Ch. IV. *Infra*.

† Ibid

thought which arose from time to time, under the congenial influence of the fruitful genius of the people and their traditional tolerance of free thinking. The philosophical school of Chārvāka, to mention only one instance of this class, became the target of unmeasured attack from the most diversified schools of thought and it failed to take root on the Indian soil. The distinctive aim of catholic Hinduism, however, was to co-ordinate the material as well as the spiritual interests of men instead of exalting either of these at the expense of the other. The Hindu view of life, the view that is common to the Brahminical, the Buddhist and the Jaina, schools of thought, implies two paths or processes which wonderfully complement each other in the progress towards self-realisation,—the path of enjoyment (pravṛtti) and that of renunciation (nivṛtti). While liberation (mokṣa) is conceived to be the goal of the latter path, the former involves a co-ordination of the three ends, viz, virtue (dharma), pleasure (kāma) and wealth (artha), or at least the pursuit of the second and the third under the guidance and direction of the first.* This profound appreciation of the totality of human interests lies, unless we are greatly mistaken, at the root of the sociological ideas of the Hindus.

* Cf Manusamhitā II 224 “ (Some declare that) the chief good consists in (the acquisition of) spiritual merit and wealth, (others place it) in (the gratification of) desire and (the acquisition of) wealth, (others) in (the acquisition of) spiritual merit alone, and (others say that the acquisition of) wealth alone is the chief good here (below), but the (correct) decision is that it is the aggregate of (these) three ” Cf Ibid VI 34-37 ; XII 88-90 Also compare Kauṭilya's Arthaśāstra I 7 Sukranīti III 2

We have endeavoured to dispose of the main argument advanced by some scholars to discredit the claim of the ancient Indians to have contributed to the theories of the State. It remains to consider two offshoots of this view which command wide acceptance at the present day. In the first place it is held that not only the Indians but all other Oriental peoples were so thoroughly imbued with faith in the divine creation and ordering of the world that they were never impelled to enquire into the *rationale* of their institutions. Thus it is declared by one writer in concluding his estimate of Eastern cultures. Now it was this appeal to dogma rather than to reason, to faith rather than to logically grounded belief, that was and has continued to be the one characteristic of Oriental civilisation. To the early Eastern mind the fact that a thing existed was sufficient of itself to show its right to be. Thus was effectually excluded all possibility of inquiries as to the relative perfection or justification for the existence of *de facto* social and political institutions. * The second view that has to be mentioned in this connection is that although the Eastern peoples succeeded in formulating some concepts

* Willoughby *Political Theories of the Ancient World* p 14. Cf the striking contrast drawn between the mentality of the Greeks on the one hand and that of the Indians and the Jews on the other in the following lines. Instead of projecting themselves into the sphere of religion like the people of India and Judaea instead of taking this world on trust and seeing it by faith the Greeks took their stand in the realm of thought and daring to wonder about things visible they attempted to conceive of the world in the light of reason. A sense of the value of the individual was thus the primary condition of the development of political thought in Greece. Barker *The Political Thought of Plato and Aristotle* pp 12

of the State, they were too much vitiated by theological admixture to deserve the title of scientific deductions. Thus to quote the authority already cited, "In the ancient empires of the East to such an extent were religion and law confused that political science can scarcely be said to have existed as an independent branch of knowledge. The ultimate sanction of all law was supposed to be found in the sacred writings"* Writing in the same strain but with a restricted application Prof. Dunning observes, "The Oriental Aryans never freed their politics from the theological and metaphysical environment in which it is embedded to-day..... The Aryans of Europe have shown themselves to be the only peoples to whom the term 'political' may be properly applied."†

In considering the above arguments in their application to the Indian conditions alone, it is well to remember at the outset that the thought of the Brahminical canonists is not co-extensive with the whole realm of Hindu culture. In the field which is treated by us in the present place we may notice at least three other phases of thought, the Buddhist, the Arthaśāstra and the Jaina, of which the first two are more or less independent of Brahminical influence. Now nothing is more characteristic of the Buddhist and the Arthaśāstra political thought than its bold and avowed appeal to human reason. The early

* Willoughby, *Nature of the State*, p 12

† *A History of Political Theories, Ancient and Mediaeval*, Introduction, pp XIX-XX

schools and authors of the Arthaśāstra, in particular introduced, as we have already observed the conception of an independent branch of knowledge specifically concerned with the acquisition and the preservation of States or in other words with the Art of Government and not only did this science gather a rich literature around itself extending far down into the Middle Ages but it found a place in the traditional lists of sciences. Furthermore the ideas of the Arthaśāstra, as we shall see later on were not confined within the four corners of an isolated system they were absorbed and assimilated in the system of the Brahminical canon and were thence transmitted to other systems which drew their inspiration therefrom. Regarding the theory of the Brahminical canon it has to be admitted that human reason was not allowed such full scope as to bring into question the foundations of the system such e.g. as the grand concept of the social order with its attendant list of duties (dharma) relating to the constituent classes thereof the trend of thought, on the contrary was to make use of the faculty of reason for the purpose of establishing the validity of those concepts. We may further grant that the Brahminical ideas of the State are conceived principally in the setting of the Whole Duty of the king and are linked up in several instances as in the doctrine of the king's creation with the notions of theology. Nevertheless it is a remarkable fact that rājadharmā is treated in the canonical tradition of the Brāhmaṇas as independent of the Vedas at least in some of its parts and it is held to be divisible from the point of view

of its consequences into two classes corresponding to the king's political and his personal functions. This was expressed with great force by the most famous commentator of the *Manusamhitā*, the illustrious Medhātithi, who is supposed to have flourished at a date not later than the tenth century A. D.*

We have endeavoured to consider the factors that were at work in the upbuilding of the fabric of Hindu political ideas. We may next examine the consequences of the regional and cultural influences under which these theories grew up into a system. And first we have to observe that Hindu political thought found throughout its history its chosen seat in Northern India and the Deccan, the home-land of Indo-Aryan culture. It was a singular irony of fate that the Dravidian races of the South, who built in the later Hindu period powerful States founded on the bedrock of self-governing village assemblies, failed to make any notable original contribution to the stock of political ideas. Indeed the Southern races would appear in the light of their earliest literary records to have been from the first profoundly impressed with the ideas of the political thinkers of the North. Thus the Hindu theories of the State bore the stamp of the creative genius of the Indo-Aryans and were coloured by their distinctive ideals and experiences. Now a remarkable feature of the Indo-Aryan culture was, as we have said above, the enormous, though not exclusive, hold acquired by religion over the thoughts and actions of men. To the Hindu, however, religion was not merely a code of dogmas or a system of religious exercises, but it

* Cf. Ch. VI, *Infra*.

was a synthesis of life. It therefore followed that the rules of public administration along with their underlying theories formed an integral part of the Brahmanical canon. But further the Brāhmaṇa sacred literature presented from first to last the only continuous record of Hindu political speculation. The other systems were either as in the case of the political sections of the Buddhist canon and the Arthashastra finally swamped or merged in the ocean of Brāhmaṇa thought after enjoying a brief span of existence, or else they were like the Jaina works on polity virtual copies of some of the more advanced phases of Brāhmaṇa speculation.

The peculiar genius of the Indo Aryans left its impress upon another aspect of Hindu political thought, namely its intensely realistic character. The political ideas of the Hindus were of the earth, earthy, and it was only on rare occasions that they were tempted to soar into the region of ideal politics. A remarkable instance of this exception to the general rule is the picture of the Universal Monarch (Chakravartin) in the Buddhist canon. The Hindu political thinkers indeed were not as a rule closet philosophers to whom it is permitted to indulge in *dreams of blissful Utopias*. They figured either in the role of teachers of the Sacred Law which was binding upon the king in every act of his life, and was enforced by the highest moral and spiritual sanctions. Or else as makers of the Arthashastra they claimed to lay down rules of policy that were founded upon the accumulated wisdom of past masters and which princes and ministers were enjoined to lay to heart and practise in their lives. Thus the Hindu theories of

the State were mainly concerned with concrete problems of administration such as the conduct of the king, the choice of ministers, as well as internal and foreign policy. Even the abstract speculations relating to the origin of kingship and the like seem to have been the battle-cries in the strife of rival schools of thought concerning such vital issues as the relative rights of the king and the subjects.

We have, lastly, to examine the influence exercised upon Hindu political thought by certain specific types of polity to which the conditions in Northern India gave a peculiar prominence. Though republican constitutions figured, as we have said, upon the stage of Indian history, it was the monarchic State that dominated the scene. In the paucity of other data the most complete account of the Indian monarchies is to be derived from the literature of the sacred canon and the secular *Aiṭhaśāstra* which reflects, as we have seen, actual and not ideal conditions of political existence. It is not our intention in the present place to mention all the distinctive features of the standard Indian polity, but to specify those characteristics alone that stamped themselves upon the system of Hindu thought. The monarchic States, to begin with, ranged in size from governments of small extent to large empires stretching, in the hyperbolic language of the conventional description, to the boundary of the whole earth as far as the sea. It was however an index of the strong disruptive forces constantly at work that the small States comprised in the traditional States-system (*mandala*) preponderated over the empires. Further, the monarchic governments usually involved a central administra-

five machinery superimposed upon the subordinate administrations of the district the town and the village. The other features of the Indian State were concerned with the position of the priestly and the ruling classes as well as of the king with reference to the rest. The Brāhmanas indeed occupy from the first a very important place in the society and the State. In the Brahmanical canon not only are the person and property of the priestly order protected by the severest penalties but they are armed with a formidable array of immunities which includes the exemption from taxation as well as from capital punishment *. To the same favoured order is assigned in the later works the right of filling the panel of judges in the royal court of justice in a partial measure as well as the highest seat in the council of ministers. Above all the Brahmana has the God given right of spiritual teaching and of guardianship of the Sacred Law which embraces every section of the community together with every act of their lives. The King's Chaplain (purohita) in particular has not only the task of ministering to the spiritual needs of his master but he also stands in the front rank of State officials for to him belongs the function of warding off by means of his charms and spells the dangers threatening the safety of the king and the kingdom. It is remarkable that much of these ideas of the Brāhmana's social and civic status is implicitly accepted in the systems lying outside the Brahmanical canon. But however high the pretensions of the Brāhmana might be carried the essential incompatibility of his func-

tions with those of the ruling and the fighting Kṣatriya was seldom, if ever, lost sight of. The Arthasāstra works, which are in essence practical manuals of statecraft, merely emphasise this divergence by their significant exclusion of the purohita from the list of component factors (angās) of government (rājyam). Thus the Brāhmanas did not monopolise the position of vantage with respect to the other classes, but they shared this privilege with the Kṣatriya. Turning to another point, we have to observe that the king who was the Kṣatriya par excellence was not held to be an irresponsible despot. In the system of the Brahmanical canon which forms the groundwork of the whole, the king was indeed entrusted with the highest executive functions. But the concept of the Sacred Law (dharma) which claimed to bind every section of the community involved a complete separation of these functions from the function of interpreting the Law which was reserved for the Brāhmanas. Further the rules of the Law which derived their origin from Divine Revelation embodied in the Vedas imposed upon the king a bundle of duties whose observance was enforced by the highest moral and spiritual sanctions.* Among these duties was reckoned that of respecting the traditional rights of the individuals as well as of collective groups,—rights which were indeed invested with an imperishable authority by their inclusion in the Sacred Canon. The Brāhmana canonists, for instance, lay down with scrupulous care the heads of the government revenue as well as the proportion payable under each head, and they

* Cf. K. P. Jayaswal (*Calcutta Weekly Notes*, Vol. XVI, pp. xix-xxi, *Introduction to Hindu Polity*, pp. 17-16)

mention of classes of people that are altogether to be exempted from taxation*. Further the canonical writers require the king to respect the customs of diverse communal units and even to give legal effect to the rules passed by such bodies †

Such were the types of polity that dominated the stage in ancient India and it is not too much to state that their principal features shaped much of the Hindu political thought. Thus the theories concerning the nature and conditions of republican States form a small but by no means insignificant chapter in the history of Hindu speculation. But by far the largest body of political ideas of the Hindu writers is concerned with the monarchies. The Hindu political theory indeed is essentially the theory of the monarchic State. The monarchies however which formed the norm and type of polity in the systems of the Hindu

The constitutional significance of the rules of taxation in the Brahmanical canon was first pointed out by Sir K. P. Jansawal (*Introduction to Hindu Polity*, Modern Review, Calcutta May-September 1913). We may quote here the disappointing example of two other ancient peoples showing how a complete void in the theory of taxation resulted from the absence of individual rights with reference to the State. The whole constitution of the societies of Greece and Rome says Prof. Hanström (*Public Finance* p. 35) "was based on conceptions directly opposed to those under which our modern doctrines have been formed. With them the State was placed above and before the individual who was bound to sacrifice himself unreservedly for his country. To person holding such a belief the question of just taxation would appear to be of trifling importance."

† Cf. *Gaṇitānāṁ Dharmasūtra* VI 20-21: "The laws of country, castes and families which are not opposed to the (sacred) records have also authority. Cultivators, traders, herd men, moneylenders and artisans (have authority to lay down rules) for their respective classes." H. B. E., Vol. II p. 271. For a historical and critical survey of this subject, cf. H. C. Majumdar (*Corporate Life in Ancient India* p. 68).

thinkers were ordinarily small States comprised in the traditional mandala, for it was only in exceptional cases, as in the system of the Buddhist canon, that the office of the Emperor was treated as a topic of speculation. Further, the high position occupied by the Brāhmana as well as the Kṣatriya had its reflection in the doctrine of joint lordship of these powers over the rest. This in its turn became the occasion for a remarkable group of theories regarding the mutual relations of the above classes. The Hindu theories of kingship, lastly, were a product of the rights and duties associated with this office. Thus the system of individual and communal rights with reference to the State seems to have given rise to what may be called the fee-theory of taxation, according to which the revenue was the price paid by the subjects to the king for the privilege of protection. This famous maxim underlay the theories of kingship in the Buddhist as well as in the Brahmanical canon : it gave the cue to the Buddhist theory of Social Contract which was distinguished by its remarkable insistence upon the respective rights and duties of the king and the subjects, and it was used to counteract the consequences of the doctrine of Divine creation of the king and respectful submission of the subjects laid down in the Brahmanical canon.

We have endeavoured to describe the salient features of Hindu political thought following from the peculiar conditions of the land and character of its people. It now remains to observe that the historical treatment of this body of ideas is subject to the limitations imposed by the dominant characteristics of Hindu literary craftsmanship. We have to mention,

in the first place, the general tendency of the Hindu writers to connect their works with schools and systems instead of making these the expression of their own minds. Indeed it appears that the personality of the individual is in this case merged in the common tradition and collective unity of the school. Thus in the field of political thought it is the Vedic theological schools and the schools of the Sacred Tradition (Smṛiti) as well as those of the Buddhist canon and the secular Arthashastra, that have been the nurseries of the most copious and original ideas. On the other hand individual authors as such have made a relatively small contribution to the common stock of thought. Further these writers are in most cases so enveloped in a mist of obscurity that they are no better than names. This general tendency towards the preponderance of schools is no doubt connected with an essential feature of Hindu culture consisting in its emphasis of the communal consciousness at the expense of individual experience. Allied to this tendency is another characteristic feature of Hindu literature namely the indefiniteness of its chronology. It is indeed a striking fact that notwithstanding the immense strides that have been taken in the study of Indian antiquities the dates of most of the literary compositions are still open to serious divergences of opinion among scholars. A typical instance is furnished by the political treatise of Kaṁandaka which has been assigned no less than three distinct dates * ranging from the third to the

3rd or 4th century A. D. (Jacollé quoted in I. A. 1912);
6th century A. D. (I. A. 1912); 7th century A. D. (I. A. 1912).

seventh centuries A. D. In other cases, as in the classical instance of the works of the Brahminical sacred literature, the utmost exertions of scholars have succeeded merely in fixing the dates within the limits of two or even more centuries. It is obvious that in these circumstances a strict chronological arrangement is out of the question. It therefore becomes necessary to study the subject in the order of development of parallel schools and systems, and to rest the whole upon the framework of broad chronological divisions representing successive stages of its growth. Another result of the twofold tendency which has been noticed above, is that, we are driven to interpret the Hindu theories of the State ordinarily without reference to the special conditions of time, space and personal experience, in which they doubtless had their origin.

Such, then, are the lines along which the methodical treatment of Hindu political theories has to proceed. We have, in conclusion, to add a few words concerning the dates of the various original authorities that have been utilised in the preparation of this volume. The beginnings of political speculation among the Hindus, it will be observed later, occur in the Vedic Samhitās and the Brāhmanas. Regarding the dates of these works, the opinions of scholars vary so widely that it is impossible to mention one commanding general acceptance. On the whole, however, it appears desirable to place the works in question in the latter half of the second millennium before Christ and the earlier half of the

first.* The two following stages in the history of Hindu political thought those of growth and maturity, are represented by a rich variety of systems consisting of the Brahminical Dharmasūtras as well as the Manusamhitā and the Mahābhārata the Buddhist canonical and post-canonical treatises and the literature of Arthasāstra. The Dharmasūtras are assigned by Prof Jolly to the fourth fifth and sixth, centuries before Christ.† The Manusamhitā is placed by Bühler in the period between the second century B C and the second century A D ‡ The Mahābhārata, in the opinion of a leading Western authority, belongs to the period from the second century B C to the second century A. D., or with a wider margin, from the fourth century B C. to the fourth century A D § The Pali Buddhist canon for the most part falls within the limits of the fourth century B C || The only important post-canonical work of the Buddhists which is treated in this volume is the Chatusśatikā of Āryadeva assigned to the second century A D ¶ The Arthasāstra of Kauṭilya

* Cf Macdonell *Vedic Index* Preface pp viii ix

† *Recht und Sitt* pp 37 (quoted R C Majumdar *Corporate Life in Ancient India* Preface p iii)

‡ S. B. R. Vol XXV Introduction p cxvii

§ E. W. Hopkins Art Mahābhārata in *Encyclopedia of Religion and Ethics* Vol VII p 325; cf 1881 *Great Epic of India* pp 307-309

|| Vide Oldenberg and Rhyas Davids S. B. I Vol XIII Introduction p xxiii; Rhyas Davids S. B. F Vol XI (General Introduction pp xix xx

¶ Vide Preface to Mr Haraprasad Sastri's edition of the Chatusśatikā.

is ascribed by the unanimous literary tradition of the Hindus to the famous minister of the founder of the imperial Maurya dynasty (acc. circa 322 B. C.). This view, however, while accepted by some Western scholars, has been rejected by others.* In the present work we have, without pinning our faith either to the Hindu tradition or to its Western criticism, placed the work at about the end of the fourth century before Christ. Hence the early schools and authors of the *Arthaśāstra* have been traced back to the immediately preceding period. The last stage in the evolution of Hindu political theories is marked by the treatises ascribed to Kāmandaka, Brihaspati and Śukra, the Jaina works on polity and law, as well as the later Brahminical canon consisting of the minor *Smritis* and the *Purānas*, the commentaries on the *Smritis* and the *Digests of the Sacred Law*. The work of Kāmandaka, as we have mentioned above, is still a chronological puzzle, but it may be placed with confidence in the period from 400 A. D. to 600 A. D. The *Brihaspatisūtras* is essentially an archaic work, but one of its historical allusions, it will be seen later, brings down its date in its existing form at least to the twelfth century A. D. Like the work of Kāman-

* Hillebrandt held the view that the *Arthaśāstra* was produced by a school of Kauṭilya's disciples. His arguments were controverted by Prof. Jacobi (vide the English translation of the original German article in I A June—July 1918). Jacobi's view in its turn is rejected by Prof. A. B. Keith who holds (J. R. A. S 1916, pp 130-137) that the *Arthaśāstra* was written by one of Kauṭilya's followers.

daka the Śukranītisāra is of uncertain date, but reasons will be shown in the proper place for putting it down in the late mediæval period. Of the Jaina works with which we are concerned the Nītivākya mr̥itam is an aphoristic treatise written by Śomadeva who was the *pratege* of a feudatory Chief subject to a Western Indian potentate Kṛṣṇa III (fl 10th century A. D.). The Laghu Arhannīti was written by the well known Jaina scholar and divine Hemachandra (1089-1178 A. D.) at the behest of his royal patron Kumārapāla of Guzerat. As regards the later Brahminical canon the minor Smritis are assigned by Prof. Jolly dates ranging from the fourth to the seventh centuries A. D.* To the same period belong the larger Purāṇas in their existing form. Of the great commentators on the Smritis, Medhātithi, Viṣṇūśaśvara and Aparārka belong as will be shown in the sequel to the tenth and the eleventh centuries after Christ while Mādhava distinguished himself as the minister of the first king of the famous House of Vijaynagar in the early part of the 14th century. The two mediæval Digests of the Sacred Law that have been taken up for examination in this work are the Bhagavantabhāskara and the Vīramatrodaya. Both of these are voluminous works dealing with the manifold branches of Hindu law and ritual (śākhāra). We are concerned with their political sections alone which are styled the *Ultimacyokha* and the *Ujjanītiprakāśa* respectively.

The author of the former work, Nīlakanṭha, is said to have flourished about 1600 A. D.*, while Mītramīśra who wrote the latter treatise lived at the court of the Central India Rāja Vīrasimha who is chiefly remembered in history as the murderer* of Abul Fazl, the minister of Akbar. †

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* Mayne, *Hindu Law and Usage*, 7th edition, p. 29

† Cf. West and Buhler's *Digest*, p. 22, quoted, *Ibid* p. 29

CHAPTER I

THE FIRST PHASE—FROM THE RIGVEDA TO THE UPANIṢADS

The original social and political institutions of the Indo-Aryans—The doctrine of the king's divinity in the Vedic Samhitās and the Brāhmaṇas—Theory of the king's rule by virtue of his divine nature—Transformation of the Indo-Aryan tribal society into the political community—Theory of limitation of the king's and the priest's powers—Doctrine of the origin of divine kingship of Indra—Dogma of joint lordship of the Brāhmaṇas and the Kṣatriyas—Theories of the mutual relations of Brāhmaṇas and Kṣatriyas as well as of the 'purohita and the king—The concept of Law (dharma) in the Upaniṣads.

The starting point of the Hindu political ideas is to be discovered in the collection of hymns and prayers forming the earliest literary monument of the Indo-Aryans the Rigveda Samhitā. In this work is embodied a number of doctrines like the divinity of the king and the divine creation of the social classes which formed later in the Yajus Samhitās and the Brāhmaṇas the basis of the earliest speculations of the Hindus concerning the phenomena of the State.

It would thus appear that the early history of Hindu political thought was comprised in the oldest literature of the Sacred Canon and intertwined with its concepts. Nevertheless this must have been the natural offshoot of the social and political insti-

tutions of the people at the dawn of their history. It is therefore desirable to present a preliminary survey of the primitive condition of the Indo-Aryans before proceeding to consider their theories of the State. The Rigveda shows the Indo-Aryans to be passing through a stage of transition: the tribal society as being transformed into the aggregate of tribes or the 'Folk.' It is with this earlier stage that we are concerned in the present place. The Rigveda specifies and describes a number of tribes that are included within the Aryan pale. Such are the Purus, the Bharatas, the Tritsus, the Yādus, the Gandhāris, the Uśīnaras, the Anus and the Druhyus. Further, the Rigveda has preserved a picture, though traced in dim outlines, of the constitution of the tribal society in its time. The generic term 'jana' was applied to a tribe or people. The 'jana' was divided into a number of social groups called 'viś,' but the division of the 'viś' into a number of 'grāmas' is doubtful, since the 'grāma' might comprise different 'viśes,' or coincide with a 'viś,' or contain only a part of a 'viś'. The 'viś,' moreover, might mean either a territorial division, or else a communal group.* The government of each tribal unit was normally vested in a monarch (rājan). It has indeed been held that oligarchical forms of government were not unknown among the Indo-Aryans.† But this view has been challenged by others on the ground that the passage bearing on

* *Vedic Index*, Vol I, pp 269-270 (correcting Zimmer, *Alt Leben*, pp 159-160) Also compare *Ibid* I 245, II 306

† Zimmer, *op cit* pp 176-177 (quoted, *Vedic Index*, Vol. II, p 216)

this question means merely that the nobles could be called *rājān* * There can however be no reasonable doubt that the normal constitution prevailing among the Indo-Aryans was a monarchy in which the king's power was checked by the tribal assemblies (*sabhā* and *saṃiti*) The tribal society moreover, was divided at an early period into a number of classes The earliest and the most fundamental division that arose in its midst was undoubtedly the distinction between the conquering Aryans and the conquered aborigines (*Dasyus* or *Dāsas*) The division into the four standard classes of Hindu society however occurs in one of the admittedly latest hymns of the *Rigveda*, while in other parts even the titles of these are seldom mentioned It was therefore believed at one time that the division into castes was unknown in the *Rigveda* and was introduced in later times † This theory has been rejected at the present day in view of the fact that the *Rigveda* itself points to the presence of all the essential elements of the caste system of later times ‡

Such is a brief outline of the primitive institutions

Vedic Index Vol II p 216 The authors of this work II prove (op cit. p. 216) Zimmer's theory of the patriarchal organisation of the Indo-Aryans by pointing to their position as invaders in a hostile territory and by quoting the parallel examples of the Aryan invasions of Greece and the German invasions of England

† *Muir Original Sanskrit Text* Vol I pp 710-713; Zimmer *All India* pp 185-201 I can summarise briefly their arguments vid *Vedic Index* Vol II pp 714-719

‡ *Vedic Index* Vol II p 211; 1911 pp 710-711 (Y Oldenberg *Z.D.M.G.* 11 (translated in *J.A.A.S.* 1901 December 1901).

of the Indo-Aryans as reflected in the Rigveda, and these form the historical background of the theories of the State that were first formulated by the Hindu thinkers. It is convenient to begin our description of these theories with the view of the king's relations to his subjects. The Indo-Aryan king, indeed, is invested from the first with divine attributes. Already in the Rigveda, in a hymn attributed to Trasadasyu, king of the Purus, the royal sage sings, "Twofold is my empire, that of the whole Kṣatriya race; and all the immortals are ours: the Gods associate me with the acts of Varuna: I rule over (those) of the proximate form of man. I am the king Varuna; on me (the gods) bestow those principal energies (that are) destructive of the Asuras; (they) associate me with the worship of Varuna. I rule over (the acts) of the proximate form of man. I am Indra, I am Varuna. I am those two in greatness: (I am) the vast, profound, beautiful heaven and earth: intelligent, I give like Twastri animation to all beings: I uphold earth and heaven." The address is continued in the same strain through the three following stanzas, but it is unnecessary to quote them here. In the closing stanzas, Trasadasyu describes himself as resembling the God Indra and as a demi-god (aiddha-deva).^{*} In this striking hymn, it will be observed, the king compares and nearly identifies himself with the two leading deities of the Vedic pantheon. Such statements could hardly have occurred in the Rigveda, had they been completely out of tune with the sentiments of the time.

^{*} Rv IV 42, Wilson's translation, Vol III pp 203-205.

In the 'Atharvaveda the conception of the kingly divinity is inculcated in the form of a general doctrine. In one of its hymns, intended in the ritual book to accompany the consecration of the king occurs the following passage 'Him approaching all waited upon (pari bhūṣ), clothing himself in fortune, he goes about (car) having own brightness 'great is that name of the virile (vīṣan) Asura, having all forms, he approacheth immortal things''* This stanza is copied from a verse of the Rigveda † addressed to the god Indra. It is safe to conjecture that the transference of the divine epithets to the human subject involves a conscious attempt to identify the king with the God. Further the extract just quoted seems to refer directly to the divinity that doth hedge a king. For it applies to the king the phrase the name of the virile Asura (asurasya nāma), which in the original hymn corresponds with a term (asuryam) meaning the divinity in which the gods clothe themselves ‡

In the Yajus Samhitās and the Brāhmanas the king's divinity is pre-eminently associated with his participation in the great political sacrifices. Thus the Śat. Br., § in the course of its exposition of the Vājapeya and the Rājasūya, repeatedly identifies the royal sacrificer with the god Indra §. Further it describes two of the component rites of these grand

* Av IV 8 H O 8 Vol. VII p 157

† Rv III 38. 1

‡ Vide Whitney's footnote loc. cit.

§ Abbreviations used in this chapter:—Taitt. Sam. = Taittirīya Samhitā; Śat. Br = Śatapatha Brāhmana; Taitt. Br = Taittirīya Brāhmana; Alt. Br = Altareya Brāhmana.

¶ V 1 3 4; 1 4 2; 2 5 3

ceremonies as making the sacrificer identical with the god Prajāpati.* Another rite of the Vājapeya, which involves the mounting of the sacrificial post, is made the occasion of the utterance of the following prayer by the sacrificer and his wife: 'We have become Prajāpati's children'.† • Yet another rite of the Vājapeya, that of consecration of the sacrificer by the priest, is declared to have the result of making the sacrificer the equal of Brihaspati, and it involves a direct intimation to the gods by the priest that the sacrificer has become one of them.‡ In the Rājaśūya rite of adoration of the king, the priest is made to utter the words, "Thou art Mitra! Thou art Varuna!" Afterwards, there occurs a dialogue between the king and the four priests assembled on his four sides, in the course of which the former addressing the latter is greeted in return as Brahman priest, Savitṛ, Indra, and Varuna.§

A feature of these identifications with the gods is that the king or the Kṣatriya is normally connected with the god Indra, just as the Brāhmana is connected

* V. 2. 1. 24; 3. 4. 23.

† V. 2. 1. 11 With this expression may be compared the titles of 'Sons of Horus' and 'Sons of Heaven' assumed by the rulers of ancient Egypt and China respectively

‡ Sat Br V 2. 2. 14-15 'I consecrate thee N N, with the supreme rulership of Brihaspati' therewith he mentions the (Sacrificer's) name he thus makes him attain to the fellowship of Brihaspati, and to co-existence in his world He then says, 'All-ruler is he, N N! All-ruler is he, N N!' Him, thus indicated, he thereby indicates to the gods 'Of mighty power is he who has been consecrated; he has become one of yours; protect him!' thus he thereby says" S B E Vol. XLI. p 39

§ Tañt, Sam I 8. 16 A variant form of this ceremony is described in the Sat Br (V. 4. 3. 27)

with the god Brihaspati. Thus the Taitt. Sam. explaining a rite of making offerings to Indra and Brihaspati states that the Rājanya (Kṣatriya) is connected with Indra while Brihaspati is the holy power (Brahman)*. The Śat Br. in the course of its dogmatic exposition of the Vājapeya, repeatedly identifies the Brāhmaṇa and the Rājanya (Kṣatriya) with the gods Brihaspati and Indra, by equating them in each case to the common factors Brahman (priesthood or priestly dignity) and Kṣatra (ruling power) respectively†. Describing the Rājasūya the same work declares in another place that Indra is the sacrificer while men belong to Viṣṇu‡.

It appears from the above that the king's divinity is derived from a twofold title—as a member of the ruling class and as a participator in the omnipotent sacrificial ceremonies. As the Śat Br. remarks in a passage purporting to explain one of the component rites of the Rājasūya. The sacrificer is Indra —he is Indra for a twofold reason, namely because he is a Kṣatriya and because he is a sacrificer'§. It deserves, however to be specially remarked, that the king was not alone in being ranked as a god. The passages just cited show that like him the Brāhmaṇa was habitually regarded as a god. Indeed the status of divinity was not the exclusive privilege of a single individual or even of a single class. It was held to belong to all persons entitled to the performance of

* II 4 17

+ V 1 1 11; 1 5 2-3 4 5 8-9 11 12

† V 2 5 3

§ V 4 3 4; repeated Ibid 7; 8. B. E. Vol XLI pp

the Śrauta sacrifices. This is apparent from the dogmatic exposition of a ceremony forming an essential preliminary to the sacrificial act. The Dīksā or Initiation is declared in the Brāhmanas to have the result of raising the sacrificer to the level of the gods. Thus a passage of the Śat. Br. states, "He who is consecrated, truly draws nigh to the gods, and becomes one of the deities,"* while in another passage it is stated, "He who is consecrated indeed becomes both Viṣṇu and a sacrificer; for when he is consecrated he is Viṣṇu: and when he sacrifices, he is the sacrificer."† Of a similar import is the direction in the Śat. Br. requiring the priest to address the consecrated person as Brahman, and invoking the divine protection on his behalf, because he is one of the gods. It is expressly laid down in this connexion that the same form of address should be uttered by the priest, even with respect to a Kṣatriya or a Vaiśya sacrificer.‡

We have endeavoured to trace the history of the doctrine of the King's divinity in the Vedic Samhitās and the Brāhmanas. It is however only in the latter works that this dogma is held to justify the king's authority over his subjects. The point is fore-

* III 1.1.8; repeated Ibid III 2 2.10; 2 2 19; 2 2.22.

† III 2 1 17.

‡ Śat. Br III 2 1 39-40; 'Thereupon some one calls out, 'Consecrated is this Brāhman, consecrated is this Brāhman: 'him, being thus announced, he thereby announces to the gods: 'Of great vigour is this one who has obtained the sacrifice; he has become one of yours; protect him!' this is what he means to say. * * * Wherefore let him address even a Rājanya or a Vaiśya as Brāhman, since he who is born of the sacrifice is born of the Brahman (and hence a Brāhmaṇa)'' S B E. Vol, XXVI, p 35.

shadowed in a passage of the *Taitt. Sam.* purporting to explain the nature of one of the so-called especial (*ahina*) sacrifices. It is there declared that the priest should make offerings to the gods Agni, Soma, Indra and Varuṇa, on behalf of a person who is mutually at variance with his fellows. The result of this act is thus stated, "So him becoming Indra his fellows recognise as superior he becomes the best of his fellows"*. This passage evidently seeks to base the king's authority upon his divinity which is attained through the omnipotent sacrifice. The *Brāhmaṇas* mark a further advance upon the theory of Divine Right. It is indeed in these works that we can trace the beginnings of true political speculation among the Hindus. How is it, ask the authors anticipating a famous question put centuries later into the mouth of king Yudhiṣṭhira in the *Mahābhārata*, that the king who is One rules over his subjects who are Many? In one place indeed the answer is given in the stereotyped dogmatic fashion of the *Brāhmaṇas*. There the *Śat Br.*, describing one of the rites of the Horse-sacrifice, states "One additional (oblation) he offers whence one man is apt to thrive amongst (many) creatures (or subjects)"†. Another passage of the same work answers the question in a wholly different fashion. The *Rājasūya* comprises a rite in which the *Kṣatriya* has to shoot to a certain distance with an arrow. Explaining the meaning of this rite the *Śat. Br.* states, "And as to why a *Rājanya* shoots he the *Rājanya* is the visible representative of *Prajāpati*

* II 2 11 0 H O S. Vol. XVIII p 160

† XII 1 3 8 S. B. E. Vol. XLIV p 284

(the lord of creatures) : hence, while being one, he rules over many."* This passage is of great interest in the history of Indian political thought, as it seems to enunciate for the first time a doctrine which became the cornerstone of the theories of kingship in the later canonical works, namely, that of the king's rule by virtue of his divinity.

We may pause here to describe one important limitation involved in the above theory of Divine Right. In the passages quoted above from the Vedic Samhitās and the Brāhmanas it will be observed that the king is never declared to be a god by virtue of hereditary descent. The king, then, has no indefeasible hereditary right following as a corollary from his divinity. Indeed, the Brāhmana texts, purporting to explain the great ceremonies of royal consecration, distinctly affirm the human origin of the king.† We shall see in a future chapter how the denial of the indefeasible right of the king becomes a cardinal feature of the theories of Divine Right formulated in the later canon.

Such was the famous theory of the nature of the king's office, which was formally proclaimed in one of the Brāhmanas. The use of this theory seems to

† V 1 5 11, The original passage has *pratyakṣatamām* which Śāṇa explains as *pratyakṣatamam rūpam*. Eggeling (S B E Vol. XLI, p 25) translates the first part of the above passage as "And as to why a Rājanya shoots,—he, the Rājanya, is most manifestly of Prajāpati."

* Cf. Śat Br V 3 3 12 "Quicken him, O gods, to be unrivalled"—he thereby says, 'Quicken him, O gods, so as to be without an enemy;' * * * 'him, the son of such and such (a man), the son of such and such (a woman),' whatever be his parentage, with reference to that he says this * * *"

S. B. E. Vol. XLI, pp. 71-72.

have synchronised with the completion of a general change in the Indo Aryan social organisation. This was nothing less than the transformation of the original tribal society into the political community, or the State. The steps leading to this momentous development may perhaps be discovered by piecing together the fragments of evidence from the Vedic Samhitās and the Brāhmanas and by interpreting them on the analogy of kindred changes among other peoples. Already in the Rigveda we mark a tendency towards union of the small tribal units into larger aggregates. A hymn of this work * celebrates the well known horse-sacrifice (aswamedha) ceremony which was associated in the later canon with the office of the Emperor. Further the Rigveda mentions titles indicating the position of the overlord and implying a higher status than that of the mere king (rājan). Such are the terms samrāj, ekarāja and adhirāja the first of which is likewise used as an honorific designation of the leading deities of the Vedic pantheon like Indra and Varuna †. The institution of overlordship along with the imperial ceremony of Aswamedha, obviously implies a more or less close political union of a number of tribes and it may have occasionally led to tribal amalgamations. The Brāhmana period witnessed the rise of permanent leagues of tribes bearing new names. Thus the Purus and the Bharatas are mentioned as separate tribes in the Rigveda. But in the Brāhmanas they are united into a common people bearing the historic designation

of the Kurus.* In a similar manner two other tribes called Turvaṣa and Krivi in the R̥gveda, become merged in the Brāhmanas into the united Pañchāla people.† Further, the Brāhmanas often join together the Kurus and the Pañchālas in such a manner as to suggest their amalgamation into one single people ‡

The results of these tribal amalgamations which no doubt were symptomatic of a general change may be best understood in the light of the recorded history of a people that passed through the same experience as the Indo-Aryans. Describing the evolution of the social and political institutions of the ancient Teutonic tribes, Jenks writes, "The armies which swarm into the Roman Empire, the armies which invade Britain, are leagues of clans The most famous of the old Tacitean clans, the Chatti, the Chauci, the Cherusci, have disappeared or been swallowed up in greater organisations. Their places are taken by new groups—Franks, Saxons, Alamanni—which are not ethnical names at all, but (and this is especially significant) names which inevitably suggest military organization The Franks comprise Salians, Sicambrians, Ampsivarians, Chamavians, Ribuarians. The Saxons include fragments of the Chauci and the Cherusci, the Alamanni are formed out of the Quadi, the Hermonduri, and other clans.

* *Vedic Index*, Vol I, pp. 167—168

† Vide Oldenberg, *Buddha* (English Translation by W. Hoey p 401 ff), and Macdonell and Keith, *Vedic Index*, Vol I, p 317 Oldenberg (loc cit) quotes the parallel case of the union of the Chamavi, the Sigambri, and the Ampsivari, into the composite race of the Franks

‡ *Vedic Index*, Vol. I, pp. 165—166,

A new organism has swallowed up the old But the new organism is not a mere enlargement of the old it is based on entirely different principles The Clan has a natural leader the league of clans has none

And so the league of clans produces the war-chief who may perhaps borrow the old Clan title of king but whose proper designation among Teutonic peoples is 'heretoch,' or host leader This is the true character of the leaders of the Teutonic invasions * But a military leader* will naturally organise his army on other than Clan principles

These privileged persons are simply royal officials, chosen for their military or administrative qualities Many of them are of servile birth* it is impossible that they should claim ancestral honours The nobility of blood has been replaced by the nobility of the sword and the office The principle of selection for personal merit has wider results than the overthrow of a Clan nobility It is responsible for what is perhaps the most vital difference between the Clan and the State The Germans of whom Tacitus writes conducted their warfare by *familiæ et propinquitates* But the king in the time of the *Leges Barbarorum* dealt directly with the individual.* The earliest notion of justice the author continues as distinct from mere indiscriminate revenge, that we find among the Teutonic peoples, is undoubtedly the blood feud But when we first turn the search light of history on the Teuton he is found to be passing through and beyond the blood feud To the blood feud

* *Law and Politics in the Middle Ages* pp 73 78

then, succeeds the *ṛci* or money payment as compensation for the injury inflicted. But two points in connection with the system of pecuniary compositions require careful attention. To begin with, it seems to have been a purely voluntary system. In the second place, it was always admitted that there were some offences for which the money payment could not atone These are our two starting points for the history of State justice. The king comes to the help of the Clan by compelling the avenger to accept the *ṛci*, and by compelling the offender to pay it. He likewise takes upon himself the punishment of bootless crimes.”*

The Indian evidence fits in, on the whole, with a similar line of development of the Indo-Aryan tribal institutions. The Vedic king, indeed, figures from the first as the captain in war. Of the many allusions to the wars of the tribal king that occur in the R̥gveda, it is enough to refer at this place to the celebrated fight of the ten kings against Sudās, king of the Tritsus.† It is significant that the king is described in the R̥ājasūya as the sacker of towns (*purām bhettā*) ‡. It is, moreover, remarkable that Indra, the divine prototype of the earthly ruler, is pre-eminently distinguished as the fighter against the demon of drought, Vṛitra.§ While it is difficult to trace any changes in the position of the Vedic king, it is possible to discover a gradual transformation of the order of nobles. The R̥ājanyas (afterwards called the Kṣatriyas) appear to

* Ibid pp 100-105.

† Rv. VII 18

‡ Cf *Vedic Index*, Vol. II, p 212.

§ Cf. Macdonell, *Vedic Mythology*, pp. 58-60

have at first formed a hereditary ruling and fighting class. But this primitive nobility of blood was thrown into the shade by the rise of a band of officials, many of whom were especially connected with the royal household. The nucleus of these officers was apparently the group of king's clients (*upastis*) who are referred to in the *Rigveda*, and are described in the *Atharvaveda* as consisting among others, of the chariot maker (*ratha kâra*) the smith (*takṣan*) the charioteer (*sūta*) and the troop leader (*grāmanī*) * In the *Yajus Samhitās* and the *Brāhmaṇas* these officers, along with others are associated with the great political ceremonies. Thus the *Rājasūya* comprises a rite in which the sacrificial sword has to be passed round in succession among a number of persons who include the *Sūta* and the *Grāmanī*.† Another and a more important rite of the *Rājasūya* is the so-called *Jewel offerings* (*ratnahavimsi*) in which the king has to make offerings to the gods at the houses of a number of persons called *Jewels* (*ratnins*) on the successive days. The list of these *Jewels* consists, according to the *Śat Br.* of the *Senāni* (commander of the army) the *Purohita*, the sacrificer himself the *Queen* the *Sūta* (charioteer or court minstrel and chronicler) the *Grāmanī* (headman or troop-leader) the *Kṣattrī* (chamberlain) the *Samgrahitṛi* (charioteer) the *Bhāgadugha* (carver) the *Akṣāvāpa* (keeper of dice), the *Govikarta* (hunter) and the *Courier* ‡ It is obvious from the

* *Rv.* X. 97. 23; *Av.* III. 5. 6. 7. Cf. *Vedic Index* Vol. I p. 96

† *V.* 4. 4. 15. 20

‡ *V.* 3. 1. A variant list occurs in the *Taitt. Sam.* (I. 8. 9) and the *Taitt. Br.* (I. 7. 3)

above enumeration that the persons who are thus singled out for participation in the ceremony of royal consecration are, with the exception of the Queen, functionaries connected with the administration or with the royal household. In connection with the above ceremony, moreover, the Brāhmanas point directly to the fact that some of the persons mentioned were inferior in blood to the Brāhmanas and the Kṣatriyas. Thus, according to the account of the Sat. Br. the king is required, immediately at the close of the 'Jewel-offerings', to perform two rites for expiating the act of 'putting those unworthy of sacrifice,—either Śūdras or whomsoever else,—in contact with the sacrifice.'* Thus the Brāhmanas would seem to indicate the emergence of a nobility of service in the place of the old nobility of birth. How powerful some of the new nobles were, will appear from the fact that the Sat. Br. declares the Sūta and the Grāmanī to be kingmakers (rājakṛit), although not kings † The history of the administration of justice among the Indo-Aryans, like the history of the nobility, appears to mark the gradual evolution of the State. The R̥gveda, indeed, already points to the institution of money-compensation for offences instead of the old indiscriminate revenge or even blood-feud. One of its designations for a human being is

* Sat Br V 3 2 2, Ibid 4. Commenting on the above passages, Sāyaṇa instances the commander of the army (Senānī) and others as Śūdras, and the huntsman (govikarta) and others as belonging to whatsoever low caste

† Sat. Br III. 4 1 7; XIII 2 2 18. Cf Pañchavimsati Brāhmaṇa XIX. 4, which mentions a list of eight supporters (viras) of the king,—his brother, son, chaplain (puṛohita), queen (mahīṣī), the sūta, the grāmanī, the kṣattī and the samgrahitṛi.

'śatadāya',* meaning one whose wergeld is a hundred cows. But at first, justice must have been administered by the family or the clan instead of the State. In the Dharmasūtras, however which belong to the immediately following period, the administration of justice is regarded as one of the principal duties of the king. This system, therefore, must have been thoroughly established by the close of the present period. The Brāhmaṇas, indeed contain sufficient hints pointing to the king's exercise of judicial functions. Thus the Śat. Br. in the course of its dogmatic exposition of the Rājasūya sacrifice, mentions a rite as having the effect of guiding the king safely over judicial punishment, whence he becomes exempt from punishment.* The introduction of this special ceremony in the king's case would seem to imply that all his subjects were amenable to his jurisdiction. Further the Śat. Br. describes another rite of the Rājasūya as having the result of making the king lord of the law and it declares in this connection that the supreme state (paramatā) —which is one of the Vedic designations of sovereignty —is that in which the people approach the king in matters of law †. This passage

* Śat. Br. V 4 4 7: They (viz. the Adhvaryu and his assistants) then silently strike him with sticks on the back;—by beating him with sticks (daṇḍa) they guide him safely over judicial punishment (daṇḍabaddha): whence the king is exempt from punishment (adaṇḍya) because they guide him safely over judicial punishment." S B E Vol XLI p 108

† Śat. Br. V 3 3 9: For Varuṇa Dharmapati (the lord of the law) he then prepares a Varuṇa pap of bark y: thereby Varuṇa, the lord of the law makes him lord of the law; and that truly is the supreme state when one is lord of the law; for whoever attains to the supreme state to him they come in (matters of) law: therefore to Varuṇa Dharmapati." S B E Vol XLI p 71

again would appear to hint at the king's sovereign jurisdiction over his subjects.

We have endeavoured above to describe the Vedic theory of the king's rule by virtue of his divine nature. It is now proper to consider an important limitation imposed by the Vedic canonists upon the king's authority over his subjects. The *Sat. Br.*, describing one of the central ceremonies of the Rājasūya, namely, that in which the sacrificer takes his seat upon the throne, states, "The king indeed is the upholder of the sacred law, for he is not capable of all and every speech, nor of all and every deed; but that he should speak only what is right, and do what is right, of that he, as well as the Śrotriya (the Brāhmana versed in sacred writ) is capable; for these two are upholders of the sacred law among men."* This passage evidently attempts to limit the king's powers by a reference to the moral nature of his functions. According to it righteous conduct is the natural and necessary attribute of the king and the priest, since both of them are entrusted with the guardianship of the sacred law.

We have next to consider a group of ideas concerning the origin of monarchy, which are characteristically treated in the Brāhmanas under a metaphorical guise, but which appear to contain the germs of the pointed and compact theories of later times. We shall begin with the short, but remarkable, picture of the condition of anarchy, which occurs in a passage of the *Śat. Br.* "Whenever there is drought, then the stronger seizes the weaker, for the waters are the law."† This

* V. 4. 4 5. S. B. E. Vol. XLI p. 106.

† XI. 1. 6 24. S. B. E. Vol. XLIV. p. 18.

pithy and vivid description of the evil of anarchy was applied by the later writers to their view of the 'State of Nature' which preceded the advent of monarchy, and it was crystallized in the celebrated popular maxim called the *Mātsyanyāya*. Apart from this account of the state of anarchy the *Brāhmaṇas* lay down two views of the origin of the divine sovereignty of Indra. The first occurs in a passage of the *Taitt. Br* in connection with one of its elaborate accounts of cosmic creation. *Prajāpati* it is there declared, made Indra the most inferior among the gods, as the youngest brother in a family is most inferior to the others. Then he sent away Indra to become the king (*adhipati*) of the gods. Indra, however, after being greeted by the gods, returned to *Prajāpati*, and begged from him the lustre (*haras*) belonging to the Sun, which at that time was possessed by *Prajāpati*. With some reluctance *Prajāpati* gave up his lustre to Indra, after making it assume the form of a gold ornament (*rūkma*). Thus Indra became the sovereign (*adhipati*) among the gods*. According to this passage the sovereignty of Indra is derived entirely from the will of the Highest God since he was originally inferior to all the gods. Further the symbol of Indra's divine creation is the lustre in which he is enveloped. The king of the gods, in other words, rules by Divine Right. This view of the origin of the divine monarchy it will be observed later is transferred to the human king in the *Mahābhārata* as well as the *Manusamhitā*.

The theory of the creation of Indra's sovereignty by the highest of the gods fits in with the view of

* *Taitt. Br* II 2 10 1 3 with *Sāyana's* commentary

kingship in the Brāhmanas, which, as we have seen, not only represent the monarch as a god in innumerable passages, but also derive his authority in one place from his divinity. A somewhat different theory of the foundation of Indra's kingship is presented in a passage of the Ait. Br. introducing its description of the Great Uction (Mahābhiseka) ceremony. "The gods headed by Prajāpati said to one another, 'This one is among the gods the most vigorous, the most strong, the most valiant, the most perfect, who carries best out any work (to be done). Let us instal him to the kingship.' They all consented to perform just this ceremony (Mahābhiseka) on Indra."* In this passage it will be observed, Indra's sovereignty is sought to be derived from the election of the gods, Prajāpati himself figuring as the chief of the divine electors. Further, the ground of Indra's election is declared to be his possession of the highest qualities of body and mind.† This version of the origin of monarchy is afterwards reproduced in the Buddhist canon, with the important addition of an original contract fixing the respective duties of the king and his subjects.' It may, therefore, be held that the Brāhmana anticipates in some measure the celebrated theory of Social Contract of later times.

* Ait. Br. VIII. 4. 12, Haug's translation.

† The view of the elective origin of the divine sovereignty occurs in another passage of the Ait. Br. I. 1. 14. There it is declared that the gods and the demons fought with one another. The gods were beaten in all directions. Then they spoke to one another 'It is because we have no king (arāja-tāya) that they are defeating us, let us elect a king.' Thereafter they created Soma king, and through his help obtained victory in all directions.

We have thus far endeavoured to describe the theories of the nature and the origin of the king's office, that are laid down in the Brāhmaṇas. It will now be our task to consider the views of the canonists concerning the status of the ruling class in general along with the priestly order in relation to the rest. The social system of the Indo-Aryans, as we have seen, involves from the first a division into four classes which were afterwards known as Brāhmaṇas, Kṣatriyas, Vaiśyas and Śūdras. Now the Vedic Samhitās and the Brāhmaṇas lay down doctrines of the origin of these classes, which involve their arrangement in an order of precedence. The earliest theory of class origins is contained in the celebrated and oft-quoted hymn in honour of the primeval giant (Puruṣa), which occurs in the last book of the R̥gveda, and is reproduced in the Atharva as well as the Yajus Samhitās. Puruṣa, it states, has a thousand heads, a thousand eyes, and a thousand legs. He was born in the beginning, and with him the gods performed a sacrifice. His mouth became the Brāhmaṇa, his arms the Rājanya (Kṣatriya), his thighs the Vaiśya, and from his feet sprang the Śūdra. From his mind sprang the Moon, from his eye the Sun, from his mouth Indra and Agni, from his breath the god of wind. From his navel arose the air, from his head the sky, from his feet the earth, from his ear the four quarters.* In this account of the origin of creation is obviously involved the dogma of precedence of the Brāhmaṇa and the Kṣatriya by virtue of the creative act of the Deity. The point is explicitly brought out in an alternative

* R̥v. X. 90 = Ḁv. XIX. 6 = Yaj. Sam. XXXI. 1-6.

theory of social origins which occurs in a passage of the Taitt. Sam. According to this view, the Brāhmaṇa was created from Prajāpati's mouth, and hence he is the chief. The Kṣatriya was produced from his breast and arms, and hence he is strong. From Prajāpati's middle the Vaiśya was created, and hence he is fit to be eaten, while the Śūdra was produced from the Creator's feet, and hence he is dependant on others and unfit for sacrifice." * Further, it has to be observed that the doctrine of precedence of Brāhmaṇa and Kṣatriya is sought to be justified in other passages on grounds independent of the dogma of their divine creation. Thus the Śat. Br. declares in one place that the Brāhmaṇa and the Kṣatriya precede but never follow the Vaiśya and the Śūdra, for otherwise there would ensue confusion between the good and the bad.† According to this passage, then, the gradation of classes is the reflection of their relative moral worth. Therefore the Brāhmaṇa and the Kṣatriya have a moral title of precedence over the other classes.

We have now to consider how the above doctrine was developed in other passages of the Brāhmaṇas into the dogma of joint lordship of the Brāhmaṇa and the Kṣatriya over the rest. In the passage of the Taitt. Sam. referred to above, the four classes are declared to correspond to as many separate categories of

* Taitt Sam VII. 1. 1.

† XIII 4. 4 13. Of Ibid V 4. 4. 19. explaining the Rāja-sūya rite of handing over the sacrificial sword to the Brāhmaṇa, the king and other persons, in succession. "And as to why they mutually hand it on in this way, they do so lest there should be a confusion of classes, and in order that (society) may be in the proper order," S. B. E. Vol. XLI, p 111,

created beings * The Brahmanas moreover present alternative theories of the origin of society, which tend to exclude the lowest class from fellowship of the others, who alone are said to be created by the Supreme Deity Thus according to a passage of the Taitt Br the Brāhmaṇas sprang from the gods and the Śūdras from Asuras (demons) while another passage declares the Śūdra to have sprung from non existence † A passage of the Śat Br mentions Prajāpati's creation of three triads each of which is expressly stated to be co-extensive with the Universe. These comprise the series earth ether and sky the Brāhmaṇa the Kṣatriya and the Vaiśya, as well as the self the human race and the animals ‡ Another

* Taitt. Sam. VII 1 1; Prajāpati desired May I have offspring He meted out the Trivrit from his mouth After it the God Agni was created the Gāyatri metre the Rathantara Sāman of men the Brāhmaṇ, of cattle the goat; therefore are they the chief for they were produced from the mouth. From the breast and arms he meted out the Panchadāśa Stoma. After it the God Indra was created the Triṣṭubh metre the Brihat Sāman, of men the Rājanya, of cattle the sheep Therefore they are strong for they were created from strength. From the middle he meted out the Saptadāśa Stoma After it the All-gods as deities were created, the Jagnī metre the Vairūpa Sāman of men the Vāśya, of cattle cowa. Therefore are they to be eaten for they were created from the receptacle of food. Therefore are they more numerous than others, for they were created after the most numerous of the Gods. From the feet he meted out the Ekavinda Stoma. After it the Anuṣṭubh metre was created the Vairāja Sāman of men the Śūdra, of cattle the horse Therefore these two the horse and the Śūdra, are dependent on others. Therefore the Śūdra is not fit for the sacrifice for he was not created after any gods "

II O S. Vol 19 pp. 557-558

† I 2 0 7; III 2 3 0

‡ Śat. Br II 1 4 11; 'Verily with bhūh ! (earth) Prajāpati generated the earth with bhuvah ! (ether) the ether with avah ! (heavens) the sky As far as these worlds extend so far

passage of the Śat. Br. goes further, and seeks to exclude even the Vaiśya from the fellowship of the Brāhmaṇa and the Kṣatriya. Incomplete, it says, is he who is not either a noble or a domestic chaplain, while he who is either a noble or a domestic chaplain is everything.*

It is in these dogmas of the inherent impurity and imperfection of the two other classes and especially of the Śūdra, that we have to seek the true origin of the doctrine of the joint lordship of the Brāhmaṇa and the Kṣatriya over both. This is laid down in a passage of the Śat Br. which states that Brahma (priesthood) and Kṣatra (nobility) are established upon the people.†

In laying down the doctrine just stated that the Brāhmaṇa and the Kṣatriya exercise a joint authority over the people, the Brahmanical canonists are necessarily led to consider the mutual relations of these powers. Whatever might have been the case in the earlier period, the functions of the Brāhmanas and the Kṣatriyas are sharply demarcated in the Brāhmanas. According to a passage of the Śat. Br., the nobility takes no delight in the priestly office and

extends this universe. with the universe it (the fire) is accordingly established With 'bhūh' ! Prajāpati generated the Brahman (priesthood) ; with 'bhuvah' ! the Ksatra (nobility) ; with 'svah' ! the Vis (the common people). As much as are the Brahman, the Kṣatra and the Vis, so much is this universe . with the universe it (the fire) is accordingly established With 'bhūh' Prajāpati generated the Self , with 'bhuvah' the (human) race , with 'svah' ! the animals. As much as are the Self the (human) race, and the animals, so much is this universe : with the universe it (the fire) is accordingly established." S. B E Vol XII, p 296.

* VI 6 3 12-13.

† XI. 2. 7 16.

spiritual lustre (Brāhma) takes no delight in noble rank * As regards the relative superiority of these classes the dogma of the origin of society involves, as we have seen, the Brāhmaṇas precedence over all the other classes by virtue of the will of the Creator We have further seen that the ground of this superiority tended to be shifted from dogma to reason in the Brāhmaṇas We may quote here some extracts bearing specifically upon the mutual relations of the Brāhmaṇas and the Kṣatriyas 'The Alt. Br in the course of its exposition of the Rājāsūya observes, "The Brahma certainly precedes the Kṣatra For the king should think, when the Brahma is at the head, then my royal power would become strong and not to be shaken" † Similarly the Sat. Br., in the course of its explanation of the Rājāsūya rite of handing on the sacrificial sword, observes that the king who is weaker than a Brāhmaṇa is stronger than his enemies ‡ It follows from these passages that the Brāhmaṇas precedence is necessary in the king's own interest, namely, the security of his power against his enemies

Proceeding further in the analysis of the relations of the ruling and the priestly classes with reference to each other the Brāhmaṇas would appear, in the first place, to lay down the doctrine of co-ordination of these powers Thus the Sat. Br in the course of

* XIII 1 5 2-3; Ibid 5. In the ritual of the Rājāsūya described in the Alt. Br (VII 19) the Kṣatriya is admitted into the sacrifice only on condition of exchanging his own weapons for those of the Brāhmaṇa.

† VI 1 1 Haug's translation p 497 Cf Ibid 1 4

‡ V 4 4 15 B. B. E. Vol. XLI p 110

its exposition of the Rājasūya makes the priest exclaim to the assembled multitude in two successive stages of the ceremony, "This man, O ye (people), is your king. Soma is the king of us Brāhmanas." * This passage is applied in the immediately following lines to justify the Brāhmana's impunity from taxation, but it obviously carries within itself the notion that the priestly class is independent of the king. The Yajus Samhitās and the Brāhmanas, moreover, would appear to set forth two different views concerning the mutual relationship of these powers. The first is represented by a passage of the Taitt. Sam. which roundly declares the kingly power and the priestly power to be helpful to each other. † Some passages of the Brāhmanas, however, introduce us to the view of one primary power,—namely the sacerdotal—of which the other is a derivative. Thus the Sat. Br. declares in one place that the priesthood (Brahmā) is the conceiver and the nobility (Kṣātra) is the doer, for the god Mitra is intelligence and the god Varuna is will. In the beginning the two were separate. Then Mitra, the priesthood, could stand without Varuna, the nobility, but Varuna could not stand without Mitra. "Whatever deed Varuna did unspeed by Mitra, the priesthood, therein forsooth he succeeded not." Then Varuna invited the assistance of Mitra, promising to place him foremost. "Whatever deed speed by

* V 3 3 12; Ibid 4. 2. 3 S. B. E Vol XLI, pp. 72, 95

† Taitt Sam V 1 10 3. "Verily by means of the holy power he quickens the kingly power, and by the kingly power the holy power, therefore a Brahman who has a princely person is superior to another Brahman, therefore a prince who has a Brahman is superior to another prince." H. O. R. Vol. XIX p. 401.

Mitra, Varuṇa thenceforward did, in that he succeeded. Hence it is quite proper that a Brāhmaṇa should be without a king but were he to obtain a king, it would be conducive to the success (of both.) It is, however, quite improper that a king should be without a Brāhmaṇa for whatever deed he does unsupplied by Mitra, the priesthood, therein he succeeds not." * This passage it will be observed, represents the mutual relations of Brāhmaṇa and Kṣatriya in the terms of the attributes of intelligence and will. It therefore follows that the Brāhmaṇa is the mainspring of the activities of the Kṣatriya. This point is further developed in the above passage by means of a legend of the divine prototypes of the two classes, which finally leads to the conclusion that the kingly power involves as its necessary adjunct the priestly power not *vice versa*. From this conception of the priestly power as being the motive force as well as the indispensable adjunct of the kingly power, it is but one step to draw out the notion that the latter is derived from the former. This step is taken in a passage of the Śat Br which categorically states that the nobility is produced out of the priesthood †

* IV 1 4 1-6 S. B. E. Vol. XXVI pp 269 271

† XII. 7 3 12 The doctrine stated above namely that the Brāhmaṇa is the source of the Kṣatriya finds expression in a remarkable theory of the origin of the four classes which occurs in the supplementary portion of the Śat Br (XIV 4 3. 1 = Bṛhadāraṇyaka Upaniṣad I 4 11 15). Verily in the beginning there was Brahman one only. That being one was not strong enough. It created still further the most excellent Kṣatriya (power) namely those Kṣatriyas among the Devas, — Indra, Varuṇa, Soma, Rudra, Parjanya, Yama, Mṛityu, Idāna. He was not strong enough. He created the Vīra (people) the classes of Devas which in their different orders are

These views of the mutual relations of the Brāhmaṇa and the Kṣatriya are partially reflected in the theory of the relative position of two representative members of these classes. The purohita (domestic chaplain) indeed stood in a special relation to the king, and hence the inter-relations of these functionaries form the subject of some important speculations of the Vedic canonists. The Ait. Br. states in one place that the purohita is one-half of the Kṣatriya.* The most considerable body of its reflections on this point, however, occurs in the last chapter recommending the employment of the domestic priest by the king.† It is there declared that the purohita with his wife and son is the king's threefold sacrificial fire. His title indeed is said to be protector of the kingdom (rāṣṭragopa). It is further stated that the purohita is the god of fire possessing five destructive powers. In the expressive language of the text he surrounds the king with

called Vasus, Rudras, Ādityas, Visve Devas, Maruts. He was not strong enough. He created the Sūdra colour (caste), as Pūshan (as nourisher) Among the Devas that Brahman existed as Agni (fire) only, among men as Brāhmaṇa, as Kṣatriya through the (divine) Kṣatriya, as Vaiśya through the (divine) Vaiśya, as Sūdra through the (divine) Sūdra. Therefore people wish for their future state among the Devas through Agni (the sacrificial fire) only; and among men through the Brāhmaṇa, for in these two forms did Brahman exist." S B E. Vol XV, pp 88-90. In this account of cosmic creation it will be observed that the First Cause is represented as successively creating the divine prototypes of the Kṣatriyas, the Vaiśyas and the Sūdras, while nothing is mentioned about the creation of the Brāhmaṇas. Indeed it is declared that while the original creative principle is manifested directly in the form of the Brāhmaṇa it manifests itself as Kṣatriya, Vaiśya and Sūdra through a derivative order of gods.

* VII. 26.

† VIII. 24-27.

these powers as the sea surrounds the earth. If the purohita is propitiated he conveys the king to heaven and makes him obtain the royal dignity, bravery a kingdom and subjects but if he is not propitiated, he deprives the king of these blessings. The purohita, then according to this view is the partner and the coadjutor the 'alter ego' of the king. Nay more, he is the active Providence ruling the kingdom as well as the king.

We may pause here to mention one important feature of the theories concerning the position of the priestly class in the State. In the passages quoted above from the Vedic Samhitās and the Brāhmanas it may be observed that the authority of the priest is never derived from his divine nature. In this respect the theories with which we are concerned present a marked contrast to the doctrine of the nature of the king's office. The Vedic works indeed invest the Brāhmanas from the first with divine sanctity. In the Rigveda where it is true the term signifies not merely a hereditary caste but also a seer as well as a specific order of priests, there are passages associating the Brāhmanas with the gods. Thus in one place the priest addresses the Brāhmanas along with the auspicious and sinless heaven and earth as well as the god Pūṣan (Sun) for protection from evil.* Another passage conveys the poet's prayer to the

* Rv VI 75 10: May the Brāhmaṇa fathers, drinkers of Soma, may the auspicious the sinless, heaven and earth, may Pūṣan preserve us who prosper by righteousness from evil. *Maier Original Sanskrit Texts Vol I p 252* Wilson's translation (Vol IV p 26) is somewhat different: May the Brahmanas, the progenitors presenters of the Soma observers of truth protect us.

god Soma who has entered into the Brāhmanas.* In the later literature where the notion of a hereditary priestly caste has crystallised into shape, the conception of the Brāhmana's sanctity is carried to a greater length. The Atharvaveda has a set of five hymns the burden of which is to teach the inviolability of the Brāhmana's person and property. In the course of this description we are introduced to the doctrine that the Brāhmana enjoys the special protection of deities like Agni, Soma, Indra, and Varuna.† The Yajurveda and the Brāhmanas are distinguished by their open, not to say aggressive, assertion of the divinity of the Brāhmanas. A passage of the Taitt. Sam. distinguishes between two classes of gods, namely, the gods who receive offerings secretly and the Brāhmanas who receive them openly.‡ The Śat. Br. declares

* Rv. X 16 6; "Should the black crow, the ant, the snake, the wild beast, harm (a limb) of thee, may Agni the all-devourer and the Soma that has pervaded the Brahmanas, make it whole" Wilson's translation Vol. VI p. 40

† Compare the following extracts from the hymns above mentioned, Av V, 17, 1-2: "These spoke first at the offence against the Brāhmana (brahman); the boundless sea, Mātariśvan, he of stout rage (haras), formidable fervour, the kindly one, the heavenly waters, first-born of right (rita) King Soma first gave back the Brāhmana's wife, not bearing enmity; he who went after (her) was Varuna, Mitra, Agni, invoker, conducted (her) hither, seizing her hand" H O R Vol. VII, p 248, Av V. 18 6 "The Brāhmana is not to be injured, like fire, by one who holds himself dear, for Soma is his heir, Indra his protector against imprecation," Av. V 18 14 "Agni verily our guide, Soma is called (our) heir, Indra slayer of imprecation (?) so know the devout that" Ibid pp. 251-252; Av V 19 10 "King Varuna called that a god-made poison; no one soever, having devoured the cow of the Brāhmana, keeps watch in the kingdom" Ibid, p 254.

‡ Taitt Sam. I 7 3 1, "Secretly offering is made to one set of gods, openly to another, The gods who receive offering

in two places that a Brāhmana descended from a sage (ṛiṣi) represents all the deities,* while other passages inculcating the merit of making gifts to Brāhmanas explicitly style them human gods †

We have reserved for examination in the last place, an important conception the germs of which occur in some passages of the Upaniṣads and which became the foundation of the whole scheme of social and political order in the later Brāhmanical canon. This was the concept of Law or Duta (dharma). In the account of cosmic creation quoted above from the Brihadāraṇyaka Upaniṣad, it has been seen how Brahman is described as successively creating the divine prototypes of the Kṣatriyas, the Vaiśyas, and the Śūdras. Then it proceeds, "He was not strong enough. He created still further the most excellent Law (dharma). Law is the Kṣattrā of the Kṣattrā: therefore there is nothing higher than the Law. Thenceforth even a weak man rules a stronger with the help of the Law as with the help of a king. Thus the Law is what is called the true. And if a man declares what is true they say he declares the Law; and if he declares the Law they say he declares what is true. Thus both are the same" ‡. According to this passage then,

secretly he thus offers to them in sacrifice; in that he brings the Anvāhārya mess (i.e. a mess of food cooked with rice given to the priests as a Dakṣiṇā)—the Brāhmanas are the gods openly—they he verily delights." II O R Vol. XVIII p 100. Cf. Maitr Sam. I 4 0. and Kauṣika Sūtra VI 26-27.

* XII 4 4 0; Ibid 7

† II 2 2 0; 4 3 14; IV 3 4 4. Cf. the passages quoted above from the Brāhmanas, identifying the priestly order with the god Brhaspati.

‡ Br Up I. 4 11; 15. S. B. E. Vol XV pp 89-90

Law is derived from the will of the Creator.' Further, Law represents the highest positive authority supplementing the powers of the three inferior classes, and overriding in particular the civil authority represented by the office of the Kṣatriya. In the last place, Law is synonymous with Moraḥity. While such is the origin and character of the concept of Law, its scope is defined elsewhere to be co-extensive with part of the social order. "There are three branches of the law," declares the Chhāndogya Upaniṣad in one place, "sacrifice, study, and charity are the first, austerity the second, and to dwell as a Brahmachārin in the house of a tutor, always mortifying the body in the house of a tutor, is the third. All these obtain the worlds of the blessed; but the Brahmasaṁstha alone (he who is firmly grounded in Brahman) obtains immortality."* This passage evidently includes the duties of the first three stages (āśramas) of the Aryan's life within the compass of the Law. It would further appear to invest these duties with a high spiritual significance, for it explicitly declares their fulfilment to lead to heavenly bliss. In the following chapter it will be our endeavour to describe how all the above elements are gathered together, and are developed into the comprehensive concept of Society or the social order of which the functions of the king form merely a branch.

* Chh. Up. 11. 23. 1-2 ; Ibid, Vol. 1 p. 35.

CHAPTER II.

THE EPOCH OF GROWTH AND DEVELOPMENT—THE DHARMASŪTRAS AND THE EARLY LITERATURE OF THE ART OF GOVERNMENT (ARTHA ŚĀSTRA), C. 600—300 B. C.—THE BUDDHIST CANON, C. 400—300 B. C.

I

General character of political thought in the Dharmaśūtras—The concept of Dharma (Law or Duty) presupposes a Society ruled by Law which is derived from the Divine will—Nevertheless it embodies the conception of the organic unity of Society—The theories of kingship involve although in an unsystematic fashion the balancing of the principles of authority and responsibility—The mutual relations of the king and the Brāhmaṇa order

II

The early Arthaśāstra contributed some of the most original chapters to Hindu political theory—Its two sources—Antiquity of the Arthaśāstra—Prof. D. R. Bhandarkar's view considered—Definition scope and method of Arthaśāstra—Definition of *Dandaniti*—Mr R. P. Jayaswal's view considered—Criticism of the traditional enumeration of the sciences by three Arthaśāstra schools—Arthaśāstra and Rājadharmas compared—Relative value of Rājadharmas and other groups of duties—The doctrine of seven elements of sovereignty and the category of three powers of the king—Graded arrangement of the seven elements indicates the absence of the idea of organic unity of government—The importance of the king's office—The king's divine nature and the duties of the subjects

towards him—The king's duty of protection and the rule of justice—The right of tyrannicide—The Arthaśāstra statecraft and its strong Machiavellian note—The Brāhmaṇa and the king rule by Divine ordination—The king rules by sufferance of the Brāhmaṇa—Early Arthaśāstra thought was distinguished by the qualities of boldness and enthusiasm, although not free from the defects of youth—The services of the Arthaśāstra authors to the cause of Hindu political theory

III

The Buddhist canonists deal incidentally with a few chosen topics of the State, but they share with the authors of the Dharmasūtras and the Arthaśāstra the credit of being the makers of Hindu political theory—The Buddhist story of the origin of kingship involves Social as well as Governmental Contracts, but is unconnected with any system of rights and duties—The Buddhist list of the seven conditions of success of the Vajjian (republican) confederacy.

I

With the period forming the subject-matter of the present chapter we open a new and interesting page in the history of Hindu political theory. The age of experiment, as it may be called, is past, that of growth and development has begun. The Brāhmaṇas which are the true fountain-head of the Hindu ideas of the State are not wanting in striking reflections relating to the nature of the king's office, the mutual relations of the king and the Brāhmaṇa order and the like questions. But these, as we have endeavoured to show elsewhere, involve a long and painful

process of groping which is the mute witness of the birth throes of a new thought, and they occur intermixed with extraneous matter in the form of dogmatic expositions of the great ceremonies of royal and imperial 'consecration'. In the present period a change comes over the scene. The practical spirit of the age found vent in the preparation of short aphoristic manuals based on the teachings of the earlier canon and the priestly authors of these works, the founders of the Vedic schools of sacred law (Sūtracharyas) carefully separate their description of the sacrificial rituals that are treated in the Śrauta and the Grihya Sūtras, from the first arranged list of duties pertaining to the constituent classes and sections of the community that is laid down in the Dharmasūtras. A new departure moreover, is signalized by the schools and authors of the Arthaśāstra who bring into being an independent branch of knowledge avowedly concerned with the acquisition and the preservation of States. Finally, the founders of the Buddhist canon the leaders of a new heresy introduced a rich leaven into the general ferment of ideas through their daring speculations into the origin of the social and the political order and the conditions of the republican communities.

With this brief survey of the prevailing tendencies of the present period let us embark on an examination of the works that fall within the limits of this chapter. And first, as regards the Dharmasūtras it has to be remarked at the outset that the political ideas of the priestly authors do not assume the character of a system they are rather of the nature of

scattered hints which it is left for other schools and authors to develop and mature. At the root of these ideas, however, there lies the unified concept of a social order. The canonical authors of the Dharmasūtras, indeed, treat the public functions of the king not in themselves, but as part and parcel of the Whole Duty of this personage, and, in a wider sense, as an incident in a comprehensive scheme of duties ordained by the Highest God. This might perhaps be taken to imply that Politics comprising the sum of the king's governmental functions did not rank in these canonical works as an independent science, but it counted as a branch of Positive Law governing the whole conduct of the king, and claiming to derive its origin from the Divine will.

The concept of Dharma introduces us to the grand notion of our authors which has been just mentioned, namely, the notion of the social order. As conceived in the Dharmasūtras, the concept presupposes the division of society into a number of component parts, such as the four castes (varnas) and the four stages of life (āśramas), each of which is subject to a specific body of rules. The source of these social divisions as well as of the rules binding them is said to lie in the will of the Supreme Being. It therefore follows that Society, as here conceived, is the rule of Law, the Law being held to be imposed from without by the Divine will*. This avowed belief in the dogmatic basis of the social order

* We must, however, observe that apart from the authority attaching to the rules of the varnas and the āśramas by virtue of their divine creation, they are held

might seem to exclude all possibilities of rational speculation in respect of its nature. Such, however is not the case in actual practice. In the social scheme unfolded in the Dharmasūtras, one may detect beneath the outer garb of dogma a keen appreciation of the principle of specialization and division of labour, as well as that of the organic unity of society. "Brahman forsooth" so runs a passage of Baudhāyana, placed its majesty

even in the Dharmasūtras to contain their 'sanction' within themselves. This is based on the certainty that the observance of these rules will lead to true welfare while their violation will bring about misery. Cf. Gautama XI 20 30: "(Men of) the (several) castes and orders who always live according to their duty enjoy after death the rewards of their works and by virtue of a remnant of their (merit) they are born again in excellent countries, castes, and families, (endowed) with beauty long life learning in the Vedas (virtuous) conduct, wealth happiness and wisdom. Those who act in a contrary manner perish being born again in various (evil conditions); Apast. II 5 11 10 11: In successive births men of the lower castes are born in the next higher one, if they have fulfilled their duties. In successive births men of the higher castes are born in the next lower one if they neglect their duties; Ibid II 9 21 1 2: There are four orders, viz. the order of householders the order of students the order of ascetics and the order of hermits in the woods. If he lives in all these four according to the rules (of the law) without allowing himself to be disturbed (by anything) he will obtain salvation.

Thus the Dharmasūtras would appear to predicate a twofold source of the authority of their rules of human conduct. It is interesting to observe that these principles of divine creation and intrinsic worth are held in some of the great philosophical systems to inhere in the concept of Dharma itself of which the above rules are the product. Kaṇāda, the reputed author of the Vaiśeṣika Sūtras indeed stresses the latter quality alone for he defines (I 1,2) Dharma as that from which results the fulfilment of welfare and salvation (yato bhūyudayanīhīreayasiddhiḥ sa dharmah). On the other hand Jaimini appears to combine the twofold

in the Brāhmanas. together with (the duties and privileges of) studying, teaching, sacrificing for themselves, sacrificing for others, liberality, and accepting (gifts), for the protection of the Vedas; in the Kṣatriyas it placed (strength), together with (the duties and privileges, of) studying, sacrificing, liberality, (using) weapons, and protecting the treasure (and the life of) created beings, for the growth of (good) government; in the Vaiśyas (it placed the power of work), together with (the duties of) studying, sacrificing, liberality, cultivating (the soil), trading, and tending cattle, for the growth of (productive) labour. On the Śūdras (it imposed the duty of) serving the three higher (castes).”

In the scheme of duties just described, it will be noticed that the function of protection is reserved for a special class, namely, the Kṣatriyas. This would seem to involve as its necessary corollary an

basis of Dharma, for he defines it (Mīmāṃsāsūtras, I 1. 2 2) as that which is desirable and is indicated by the Vedic injunction (chodanālakṣaṇārtho dharmah) In the Mīmāṃsā system the intrinsic authority of Dharma is sought to be explained by assuming the existence of an invisible force (apūrva) attaching to men's actions. The doctrine is thus interpreted by Colebrooke. “The subject which most engages attention throughout the Mīmāṃsā, recurring at every turn, is the invisible or spiritual operation of an act of merit. The action ceases, yet the consequence does not immediately arise, a virtue meantime subsists unseen, but efficacious to connect the consequence with its past and remote cause, and to bring about, at a distant period or in another world, the relative effect. That unseen virtue is termed Apūrva, being a relation superinduced, not before possessed” (Quoted, Priyanath Sen, *Principles of Hindu Jurisprudence*, p 27).

* Ibid I, 10, 18, 2-5 S. B. E. Vol. XIV. p 199.

oligarchical constitution in which the Kṣatriyas monopolised the political power. Nevertheless the Dharmasūtras expressly entrust the function of government to the king who is indeed the Kṣatriya *par excellence*. To him belong the duties of lawful punishment, State relief of the Brāhmaṇas and other people, fighting the enemy, levying of taxes, administration of justice, appointment of State officers, performance of sacrifices and the like*. The bare enumeration of these duties is enough to show how the king's public functions are blended in the Dharmasūtras with his domestic functions in the category of the Whole Duty of this personage.

Proceeding to the theories of kingship in the canonical works we may observe that the conception of a system of laws governing the constituent members of the community which is that of the Dharmasūtras has obviously the result of limiting the king's powers. Yet the ideas of the Dharmasūtras are not centred on the limitation of the king's powers alone, but they involve in however unsystematic a fashion the balancing of the principles of authority and responsibility. In this respect, indeed the Dharmasūtras follow in the track laid down by the Brāhmaṇas. The basis of the king's authority however is sought in the later canon to lie, not in the dogma of the king's divine nature but in his fulfilment of the fundamental needs of the individual and of the society. Gautama writes in one place: A king and a Brāhmaṇa, deeply versed in the Vedas, these two uphold the

* Cf. Gaut. X. 7-18; Ibid. XI; Vas. I. 41-43; Ibid. XVI 2-9; Ibid. XIX; Baudh. I. 10-18. Apast. II. 10-25^{ab}.

moral order in the world. On them depends the existence of the four-fold human race, of internally conscious beings, of those which move on feet and on wings, and of those which creep, (as well as) the protection of offspring, the prevention of the confusion (of the castes and) the sacred law." * This striking dictum might have been based upon a text of the Śatapatha Brāhmaṇa describing the king and the learned Brāhmaṇa as upholders of the sacred law.† But while the earlier author derives from this text the conception of the natural and necessary limitations of the powers of both, the later writer amplifies it with the object of magnifying their importance. The later view virtually amounts to this, that the king's office is, along with that of the Brāhmaṇa, the foundation of the social and the moral order as well as the indispensable condition of the bare existence of the people. The full import of this idea as justifying a wide range of duties owed by the subjects to their sovereign is not brought out till we reach the contemporary Aithaśāstra and the later Brahminical canon. Nevertheless it is observable that Gautama in one place derives from the king's function of protection his right of immunity from censure. He writes, "The advice of the spiritual teacher and the punishment (inflicted by the king) guard them. Therefore a king and a spiritual teacher must not be reviled." ‡

* Gaut VIII 1-3 S B E Vol II pp. 211-212.

† Supra, p 41

‡ Gaut. XI 31-32, S B E Vol II p 235 The same duty is inculcated by Apastamba who declares (I. 11 31 5) that a pious householder must not speak evil of the gods or of the king.

Let us next consider the ideas and notions of the Dharmasūtras which tend to counteract the above doctrine of the king's authority. To begin with the most fundamental point, the concept of Dharma implies 'as we have seen before that the king is governed in the whole course of his conduct by a body of rules claiming to derive their origin from the highest source namely the will of the Supreme Being. Specifically, this responsibility to the Divine Law is illustrated in the rule of the Dharmasūtras making the king liable to sin for the unjust exercise of his power * The Dharmasūtras invoke the aid of the penitential discipline to enforce the duty of just government upon the king † With this may be connected the fact that Gautama imposes an intellectual training as well as moral discipline upon the king ‡ The sanction of spiritual or temporal penalty however it should be observed in the present place, is not the only incentive to the king's good government. For the authors of the Dharmasūtras inculcate protection by making the king participate in the

Cf Apast II 11 28 13 "If the king does not punish a punishable offence the guilt falls upon him. Baudhayana (I 10 10 8) makes the king liable to one-fourth of the sin following from unjust trials.

† Thus Gautama (XII 48) prescribes a penance for the king who neglects to inflict punishment while Vastisha (XIX. 40-43) imposes a penance upon the king as well as the purohita in the event of the unjust decision of suits.

‡ Gaut. XI 2-4 (The king shall be) holy in acts and speech fully instructed in the threefold (sacred science) and in logic pure of subdued senses surrounded by companions possessing excellent qualities and by the means (for upholding his rule). Bühler's translation.

spiritual merits and demerits of the 'subjects.* While in the above cases the king's duty is derived directly from the Divine Will, a somewhat rational basis of the same is suggested, by a passage of Baudhāyana. He writes, "Let the king protect (his) subjects receiving as his pay a sixth part." † In this passage is evidently involved the view that the king is an official paid by the subjects for the service of protection. In this case the king's duty of protection would follow as a logical corollary from his collection of taxes. This doctrine of the relation of taxation to protection is of great importance in Hindu political theory. The later writers recur to it far down into the Middle Ages, and it is incorporated in the theories, Buddhist as well as Brahminical, of the origin of kingship.‡

* Gautama, *e.g.*, declares (XI 11) that the king obtains a share of the spiritual merit gained by his subjects; while Viṣṇu (III 28) mentions that a sixth part both of the virtuous deeds and of the iniquitous acts committed by the subjects devolves upon the king

† I. 10. 18. 1 'Receiving as his pay', the term used in the original is 'bhrīṣah' which the commentator Govindasvāmin explains as 'bhrīṣvetanam dhanam tadgrāhī bhrīṣah' The use of 'vetana' (wage) to indicate the king's dues is noticeable

‡ The rule of Baudhāyana just cited, along with similar passages from other Hindu authors, has been interpreted in recent times as justifying a wider power of the people over the king than, we think, is warranted by the texts Prof Pramatha Nath Banerjee (*Public Administration in Ancient India*, pp 72-73) claims on the authority of the above text of Baudhāyana as well as other passages from Kautilya, the Sukranīti and the Mahābhārata that "the conception of the king as the servant of the state was one of the basic principles of political thought in Ancient India." Practically the same view is

In the course of our survey of the ideas of kingship in the *Dharmasūtras* we have seen how one of the priestly authors treated the office of the Brāhmaṇa in conjunction with that of the king and declared both of them to be in effect the foundation of individual existence as well as of social order. This dictum, we think, is important as furnishing, probably for the first time a theoretical argument in favour of the old canonical doctrine of the joint authority of the king and the Brāhmaṇa over all the rest

held by Prof. D. R. Bhandarkar (*Carmichael Lectures Part I* pp. 122-123) who quotes Baudhāyana's text along with other passages from the *Dharmasūtras* Kauṭīliya and the Śānti parvaṃ to show that according to the Hindu notion the king

never wielded any unqualified power but was looked upon as merely a public servant though of the highest order. We are not quite sure whether the claim advanced on behalf of the people can be upheld in the present case. There is no warrant in the authorities cited for a statement such as that the king derives his authority from the people in whom is vested the ultimate sovereignty. On the contrary the deeply rooted idea of the authors is that the Kṣatriya order in which the king is included is ordained by the Supreme Being to protect the people and is subject to the Dharma imposed by His will. In the passage (I. 188) quoted by Dr. Banerjee from the Śukranīti in this connexion the king is indeed declared to be appointed to the service of the people but this appointment, it is expressly stated is ordained by Brahman. It might be argued that the text of Śukra (II. 271-275) quoted by Dr. Banerjee which justifies the right of deposition of the bad king along with other texts from the *Mahābhārata* justifying the right of tyrannicide pointed to the popular control over the king. Such passages, however are of too exceptional a character to be accepted as the standard expression of the Hindu theory. We are therefore inclined to hold that the Hindu thinkers tended to the view which is however implied rather than expressed that the king is the servant of the

Regarding the mutual relations of these powers, we may first observe that Vaśiṣṭha quotes with approval the old Vedic text declaring Soma to be the king of the Brāhmanas, while Gautama expresses the idea more clearly by saying that the king is master of all with the exception of the Brāhmanas.* Not only do our authors hold, after the fashion of the Brāhmana works, that the priestly power is independent of the kingly power, but they also make in the earlier manner the one superior to the other. Speaking of the respective functions of the king and the Brāhmana, Vaśiṣṭha says in one place, "The three (lower) classes shall live according to the teaching of the Brāhmana. The Brāhmana shall declare their duties, and the king shall govern them accordingly."† The king, then, is as it were, merely a magistrate charged with the duty of carrying out the law laid down by the Brāhmanas. After this, it is perhaps unnecessary to mention that Gautama quotes in one passage a Vedic text to the effect that Kṣatriyas who are assisted by the Brāhmanas prosper and do not fall into distress ‡ And yet it is noticeable that, perhaps owing to the greater moderation of the priestly pretensions, the authors do not press the theory of the Brāhmana's superiority to the point reached in some of the Brāhmana texts, namely that the priestly power is the source of the kingly power.

* Vas I 45. (Cf Sat Br. V 4 2 3), Gaut. XI 1

† Vas I 39-41, S. B E Vol XIV, pp. 7-8

‡ Gaut. XI 14 Cf Sat Br. IV 1. 4 4-6.

While the Dharmasūtras are the product of the Vedic theological schools and are inspired by the canonical tradition the works with which we are concerned in the present place trace their origin to the independent schools and authors of political science (Arthasāstra) and contribute some of the most original and valuable chapters to the history of Hindu political theory. The early literature of the Arthasāstra may be shown even from the scanty evidence at our disposal, to have been not only rich in stores of thought, but also to have attained a considerable size and extent. Its present condition however is no index of its true character. For the whole of it has perished with the exception of a few fragments that are scattered through the pages of the later Brahminical canon as well as secular Arthasāstra. Kaṭilya quotes the opinions of four specific schools and thirteen individual authors of the Arthasāstra.* Most of these citations are reproduced in the Nītisūtra of Kāmandaka, who moreover mentions some authors unknown to Kaṭilya. The Śānti parvan section of the Mahābhārata (LVIII LIX) furnishes two lists of authors of political science (daṇḍanīti or rājasāstra) in which no less than six names can be identified with those mentioned by Kaṭilya †. The Śāntiparvan moreover contains a mass of traditions and legends connected with statecraft, which are attributed to schools and individual teachers some of whom were not known to

For a full list of these names and references vide D. R. Bhandarkar op. cit. pp. 89-90.

† Infra, p. 89. Prof. D. R. Bhandarkar (op. cit. pp. 91-97) treats this point in full detail.

Kauṭilya.* In some cases, again, the simultaneous occurrence of identical or nearly identical verses in the Mahābhārata and the Manusamhitā stamps them, in accordance with the usually accepted canon of interpretation on this point, as the specimens of

* The following is a list of authors and school of the Arthasāstra that are common to the Kauṭilya and the Sāntiparvan. In the latter case the references alone are given, which clearly relate to treatises on the science of polity or of other subject matter.

1. Viśhālaka, S. LVIII 2, LIX 80-82; K pp. 13, 27, 32, 322, 328, 382.

2. Indra, S. LVIII 2, LIX 83, LXIV 10 ff., LXX, CIII 1 ff. Bāhūdantiputra, K, p. 11

3. Brihaspati, S. LVI 9, LVIII 1, Ibid 13 ff. LXVIII 7 ff., CXXII 11; Agastya (Brihaspati), S. LXIX 72-73, King Marutta's saying in accordance with the teaching of Brihaspati, S. LVII 6-7. School of Brihaspati, K, pp. 6, 20, 63, 177, 192, 375.

4. Manu, S. LVII 11-15, CXXI 11. School of Manu, K, pp. 6, 20, 63, 177, 192.

5. Sukra, S. LVI 20-30, LVII 3, Ibid 41, LVIII 2, LIX 85, CXXII 11, CXXXIX 71-72. School of Sukra, K pp. 6, 20, 63, 177, 192.

6. Bhāradvāja, S. LVIII 3, CXL 3 ff.; K pp. 13, 27, 32, 255, 322, 327, 382.

The list of teachers not mentioned by Kauṭilya but quoted in the Sāntiparvan is as follows —

1. Gaṇḍakīraṇa, LVIII 3.

2. Wind-god, LXXII 3 ff.

3. Kaśyapa, LXXIV 7 ff.

4. Vaiśravaṇa (Kubera) LXXIV. 1-18

5. Utathya, XC 3 ff., XCI.

6. Vāmadeva, XCI 3 ff., XCIII-XCIV

7. Samvara, CII 31.

8. Kālakavriksiya, CIV 3 ff., CV, CVI 1 ff.

9. Vasubhoma, CXXII 1-51.

10. Kāmandaka, CXXIII 12 ff.

Kāmandaka mentions three names not known to Kauṭilya —

1. Maya XII 20

2. Puloman XII 21

3. The Mahargis XII 23.

a pre-existing collection of metrical maxims and presumably the relics of the lost literature of Arthaśāstra *

Thus the sources of the early Arthaśāstra works fall into two principal categories namely, the Arthaśāstra of Kauṭilya and the Mahābhārata along with the Manusamhitā. Kauṭilya's treatise is generally assigned to the period of Chandragupta Maurya's reign (c. 322-298 B.C.) while the Manusamhitā and the Mahābhārata are held to belong to the first two centuries before and after the Christian era. It would therefore appear *prima facie* that Kauṭilya's citations belonged to the early stage of the Arthaśāstra literature while those of the Mahābhārata represented a somewhat later phase of the same. This presumption is confirmed by the internal evidence since the extracts quoted in the Śāntiparvan imply an advanced stage of speculation and often involve the formulation of abstract principles while Kauṭilya's citations belong to a period when speculation had not yet emerged from the leading-strings of the discussion on concrete issues and it still bore the stamp of immaturity. Nevertheless the quotations in the Mahābhārata must have acquired a respectable degree of antiquity at the time of its composition for the canonical author cites them as authoritative expositions of the king's duties (rājadharmā) and applies to them the significant title of old legend (itihāsam purāṇam) †

* Vide S. B. E. (Vol. XXV Introduction p. xc) and D. R. Bhandarkar (op. cit. p. 103).

† It is of course not only possible but probable that many of the authorities quoted in the Śāntiparvan especially those

How far may the date of the Arthaśāstra be carried back into the past? We have no means of giving a precise answer to this question, but the following data may help us to form some idea of its antiquity. Already in the time of Kauṭilya the literature of the Arthaśāstra must have reached a considerable size, since he quotes no less than four specific schools and thirteen individual authors. "A School," as Prof D. R. Bhandarkar remarks, "means a traditional handing down of a set of doctrines, and presupposes a series of āchāryas or teachers, who from time to time carried on the work of exegesis and systematisation." * Rich and extensive as is the literature of Arthaśāstra referred to by Kauṭilya, it contains within itself sufficient evidence pointing to a still earlier stratum in the history of this science. The discussions of the authorities whom Kauṭilya quotes involve, as will appear from the sequel, a number of political categories. Such are the four sciences (vidyās), the seven elements of sovereignty (prakritis) the three powers (śaktis) of the king, the seven royal vices (vyasanās) divided into two subgroups, the six expedients of foreign policy (gunas), and the four means of conquering an enemy. These categories must have come into general vogue when the authorities quoted by Kauṭilya composed their treatises, for otherwise they would not have been

about whom Kauṭilya is silent, belonged to the period intervening between the composition of the Kauṭilya and the Mahābhārata. Nevertheless it has been thought desirable to consider the extracts of the Mahābhārata in this section since their study could not very well be dissociated from that of the schools and teachers mentioned by Kauṭilya

accepted more or less implicitly by those authors. A long interval, therefore, which may well have extended over three centuries, separated these dim beginnings of Arthasāstra thought from the time of Kauṭilya.*

* We are prepared to accept Prof. D. R. Bhandarkar's date for the beginning of the Arthasāstra but we demur to some of his arguments. He writes (op. cit. p. 110) "All things considered it is impossible to bring down the beginning of Indian thought in the sphere of Arthasāstra to any period later than 600 B. C." In support of this view he advances, *inter alia* the following reasons:—(1) One of the concluding verses of Kauṭilya's work, which begins with the words *yena āstram cha āstram cha*, means that the Arthasāstra was falling into desuetude in Kauṭilya's time and was rescued from oblivion by that author. (2) Kauṭilya does not mention Gaurasīras while he quotes the six other teachers of kingly science, that are referred to in Ch. LVIII of the Śāntiparvan. Therefore Gaurasīras and probably other teachers as well were forgotten in Kauṭilya's time. (3) The Śāntiparvan (Ch. LIX) attributes the origin of Daṇḍanīti to the god Brahmā and the creation of the different treatises on it to the different gods and demi-gods. This means that in the 4th century B. C. Arthasāstra was looked upon as having come from such a hoary antiquity that it was believed to have emanated from the divine and not from the human mind. Now the correct meaning of the reference to Arthasāstra in the verse above stated seems to be that Kauṭilya brought the science from a state of chaos to order and harmony not that he recovered it from oblivion (Infra Ch. III). The second argument is of little or no weight since if Kauṭilya fails to quote Gaurasīras the Mahābhārata is silent about other authors of the Arthasāstra that are mentioned by Kauṭilya. Such are Parāśara (Kaut. pp. 13, 27, 32, 323 and 328) Pīṣuna (Ibid pp. 14, 28, 33, 253, 323 and 329) Vātavyādhi (Kaut. pp. 11, 33, 263, 321, 330) and Kātyāyana Kapilaka Bhāradvāja, Dīrgha chārāyana (or perhaps Chārāyana, vide Shamasastri's Revised Edition of Kauṭilya's Arthasāstra Introduction p. xxi) Ghoṣamukha Kīṇjaka as well as Pīṣunaputra (Kaut. p. 251). Nor can it be definitely proved that Kauṭilya was unacquainted with Gaurasīras. It is not at all improbable that Gaurasīras is identical with the equally mysterious masters of the Arthasāstra (āchāryyas) whom Kauṭilya quotes no less than

Before proceeding to analyse the leading ideas and concepts of the early Arthaśāstra authors, it will be well to consider the nature and scope of the science which they brought into vogue. As regards the first point, the evidence is of a twofold character.

forty-two times, much oftener than he quotes the other schools and teachers of the Arthaśāstra. Even if the two were independent personages, it may be argued that Kautilya had no occasion for mentioning Gaurasīras, since he only quotes the older authors when he has to cite a chain of discussion in which they figure or else refutes their views. Another ground on which Kautilya's silence about Gaurasīras may be explained without committing oneself to Dr. Bhandarkar's theory is that the latter author lived or at least came into prominence in the interval between the composition of Kautilya's work and that of the Sāntiparvan. For it is only a gratuitous assumption, running counter to the generally accepted view on this point, to state that the composition of the Sāntiparvan was prior to that of the Kautiliya. The third argument involves a *petitio principii*, since it takes for granted apparently on the strength of the second argument that the Sāntiparvan was composed earlier than the Arthaśāstra of Kautilya. Moreover, it fails to give the true explanation of Brahmā's creation of the science of Daṇḍanīti. This view of the origin of the science is indeed not peculiar to the Mahābhārata. Vātsyāyana, in the beginning of his Kāmasūtra, describes how 'Prajāpati (Brahmā) created the people and recited to them a work of 100,000 chapters showing the way towards the acquisition of virtue, wealth, and desire. Afterwards the three parts relating to these ends were separated respectively by Manu, Brihaspati, and Nandin. A closer approximation to the story of the Mahābhārata occurs in the late mediæval work called the Sukranītisāra. According to its author (I 2-4), the Self-existent One (Brahmā) recited the Nītisāstra consisting of 100 lacs of verses for the good of the world, and afterwards abstracts of this work were prepared by Vasiṣṭha, Sukra and others in the interests of kings and other persons whose tenure of existence was limited. Nevertheless it is difficult to subscribe to the view that the ascription of divine origin to Daṇḍanīti in the Sāntiparvan was merely due to its hoary antiquity. That the canonical author was aware of the human origin of the science is evident from an alternative story of its creation which is thus summarised by

Kauṭilya writes in the concluding chapter of his work, ' 'Artha' is the means of subsistence (vṛtti) of men it is, in other words the earth which is filled with men Arthasāstra is the science (śāstra) (which deals with) the mode of acquisition and protection of that (earth) ' * This definition is applied by

Prof D R. Bhandarkar (op cit. p 93): In Chapter 235 of the Śāntiparvan we have another tradition narrated about this work (viz. the archetypal work of Brahmā on Daṇḍanīti) There its authorship has been ascribed to eight sages who read it out to the god Nārāyaṇa. The god was exceedingly pleased with what he heard and said: Excellent is this treatise that ye have composed consisting of a hundred thousand verses Guided by it Svāyambhuva Manu will himself promulgate to the world its code of dharma and Uśanas and Brihaspati compose their treatises based upon it We are then told that this original work of the sages will last up to the time of king Uparicharu and disappear upon his death. To understand the real significance of the theory of divine creation of Daṇḍanīti it is necessary to consider the object with which the section on kingly duties in the Śāntiparvan seems to have been written This we think, was nothing less than the formulation of the sum of duties relating to the king conceived with an almost exclusive reference to his public functions In these circumstances nothing would be more natural than for the author to magnify the extreme antiquity and authoritative character of Daṇḍanīti the essence of which he incorporated in his system We are therefore inclined to hold that it was with a deliberate purpose and not merely out of mere forgetfulness of its human origin that the fiction of divine creation of Daṇḍanīti was introduced into the Śāntiparvan

* Kauṭilya's Arthasāstra, Revised edition by R Shamasastri p. 420 Dr Shamasastri (English translation p 81c) translates this passage as follows:—"The subsistence of mankind is termed artha wealth; the earth which contains mankind is also termed artha wealth; that science which treats of the means of acquiring and maintaining the earth is the Arthasāstra, Science of Polity Here earth (bhūmi) is evidently taken to be the alternative meaning of artha. It is interpreted by Mr K P Jayaswal in the same sense in his translation of the above passage (q v) We are very much

Kautilya to the early Arthaśāstra works in his very opening lines where he describes the plan of his own treatise. He writes, "This single Arthaśāstra has been prepared by summarising nearly all the Arthaśāstra works that were written by the early masters with regard to the acquisition and protection of the earth." The second line of argument is concerned with the interpretation of the parallel concept of Dandanīti. Kautilya writes in one place, "Dandanīti is the means of acquiring what is not gained, protecting what is gained, increasing what is protected and bestowing the surplus upon the deserving." * It is evident that this is but an amplification of the category of acquisition and protection mentioned in the foregoing definition.† Now both the Manusmṛitī and the Mahābhārata mention the four functions stated by Kautilya in such a way as to make them the essence of the king's occupation.‡

inclined to doubt whether the above interpretation is the correct one. In our opinion the author clearly intends in the above passage to use 'it' as 'arthah' in the sense of the secondary signification of the first 'artha' which, as here used, is a technical term. A much later writer, Sarvānanda, while explaining the term 'Arthaśāstra,' likewise takes 'bhūmi' to be the derivative, and not the alternative, meaning of 'artha.' He writes (commentary on Amarakosa I 6 5): arthāḥ hiranyādayastesu pradhānamartho bhūmiritareṣām tadyonivāt

* Kaut p 9

† Saṅkarāryya indeed states (commentary on Kāmandaka I. 8) that the increase of what is protected is a form of acquisition while the bestowal upon the deserving is a kind of protection

‡ Thus Manu (VII 99-101) not only enjoins the king to pursue these functions, but he also describes them as the fourfold means of securing the ends of human existence. The Mahābhārata (Sāntiparvan, CXL 5-70) quotes a dialogue between the sage Bhāradvāja and the king Satruñjaya concerning the means of fulfilling these four functions.

Kāmandaka indeed, expressly styles them as such * Since the Arthaśāstra is, from the first, connected with the institution of the monarchic State it follows that there is a general agreement of the canonical as well as the secular writers concerning the nature of the science. This shows that the definition of Daṇḍanīti was not introduced by Kauṭilya but it went back to the old authors of the Arthaśāstra.

It would appear from the above that Arthaśāstra was essentially the Art of Government in the widest sense of the term † But although such was the strict definition of the science, it tended almost from the first to embrace a mass of abstract speculation within its orbit. The extracts cited by Kauṭilya show that the discussion of the concrete problems of administration led the early teachers of Arthaśāstra to enquire into the essential nature of the State institutions. The Mahābhārata above all, reproduces numerous extracts from the early Arthaśāstra authors involving, as we shall presently see the

* Kām. I 20 : The acquisition of wealth by righteous means (its) protection increase and bestowal upon the deserving form the fourfold occupation of the king (rājavṛttim chaturvidham).

† Mr E. P. Jayaswala's interpretation of Arthaśāstra (*Calcutta Weekly Notes* Vol. XI p. cclxxv) which is based upon his own version of the passage quoted above from Kauṭilya (p. 426) is different. He first translates this passage as follows :— Society is men a instinct Territorial division of humanity is Society. The science of well being and development of the territorial unit is the Arthaśāstra. In other words, he continues the science of development of territorial groupings of the social animal called man is what Kauṭilya styles the Arthaśāstra. We may render it into English as the science of the Common Wealth. We consider both this version and its interpretation to be far fetched and untenable.

treatment of such abstract questions as the nature of the king's office and the mutual relations of the sovereign and his subjects.

Arthaśāstra, then, while strictly meaning the art of public administration, tends in effect to include the theory of the State as well. Let us next consider the scope of this science.* A perusal of Kautilya's work shows that this author treated the subjects of central and local administration, home and foreign policy, as well as civil law and the art of warfare. As Kautilya's work is admittedly a summary of the early Arthaśāstra literature, the natural presumption is that the same topics were dealt with in either case. This is reduced to a certainty by Kautilya's own citations which make it abundantly clear that all the above subjects were treated by his predecessors.*

* For references to the civil law in the early Arthaśāstra literature, vide Kaut pp 157, 161, 162, 164, 177, 185, 192, 196, 198. As regards references to the art of war, vide Ibid p. 375. The references to the public administration as well as internal and external policy are quoted in the course of the present section.

A word may be added about the method of the Arthaśāstra. A perusal of the treatise of Kautilya is enough to show that the conclusions of the Arthaśāstra authors were reached by a process of reasoning based upon the facts of human nature and of political life. The method of these writers, in other words, was an empirical one. In Kautilya, who has left us the only complete work of Arthaśāstra now extant, the empirical method is supplemented by some very interesting applications of what may be called the historical method. In one place (Ibid pp. 11-12), e.g., Kautilya is solemnly urging the king to master the category of six senses which he calls the 'six enemies'. In stressing this point he quotes the instances of no less than eleven kings or republican communities (saṅghas) that perished through indulgence of the senses, while he mentions two kings who won success through their self-restraint. For other instances of the use of the historical method, vide Ibid pp 41, 329, 360.

Such, then, is the skeleton outline of the science of Arthasāstra * In order to understand its true

* What is the relation of the concept of Dandānti to that of the Arthasāstra? Apart from the category of four functions included within the sphere of Dandānti which has been stated above Kautilya gives two interpretations of the term. He defines it (p 9) in its narrow etymological sense of the direction (nti) of punishment (danda) while elsewhere (p 10) he indicates its scope more broadly as comprising both right and wrong policy (nayanayan). It follows from the above that Dandānti while strictly meaning the art of punishment, is in effect, the art of government. Its scope, then even in its latter sense falls short of that of the Arthasāstra. A tacit recognition of the difference between Dandānti and Arthasāstra may perhaps be traced in the fact that while Kautilya adheres to the traditional classification of the sciences in which Dandānti is separated from Trayi he makes Arthasāstra a branch of the Vedas by including it in the category of Itihāsa. Ibid pp 6 7 and 10

In the subsequent period the shades of difference between Dandānti and Arthasāstra were obliterated so that the two became convertible terms. Compare Amarakoṣa (I 8 5) : ānvīkṣiki dandānti tarkavidyārthasāstrayoh

Mr K P Jayaswal (*Calcutta Weekly Notes* Vol XV, p cc lxxv) translates Dandānti as the Ethics of the Executive. There is no warrant for this interpretation so far as we are aware, in Hindu political theory. As we have seen above Kautilya gives the etymological signification of Dandānti. This is amplified by the later writers who seize the occasion to explain the meaning of the terms danda and nti in the above definition. Thus Kāmandaka (III 10) writes, Restraint (dama) is known as danda; danda is the king since it resides in him; the direction (nti) of danda is dandānti; nti is so called because it directs. This paraphrase is reproduced with a slight verbal change in the Sukranītisāra (I 157). Similarly Kātyāyana (commentary on Amarakoṣa, I 8 5) writes Danda is restraint or that by which (one) is restrained; dandānti or Arthasāstra is that by which restraint is directed i.e. applied to those deserving to be restrained. Apart from this primary meaning of Dandānti the later authors give its secondary or derivative sense which brings their definition into line with Kautilya's description of the scope of the science. Thus Śaṅkarācārya commenting on the above passage from Kāmandaka writes The term

sciences * This view would seem to mark the extreme swing of the pendulum from the position of the Dharmasūtras, in which rājadharmā was held to be part and parcel of the canonical scheme of duties. But the tendency towards simplification of the list of sciences did not end with Bṛhaspati. The school of Uśānas (Śukra) took the last step and proclaimed Daṇḍanīti to be the only science on the ground that the operations (ārambhāḥ) of all other sciences are fixed therein †. Politics, then, according to this ultra political school, is the one master-science furnishing the key to all the rest.

Let us pause here to compare the concept of Arthasāstra with that of the king's duties (rājadharmā) figuring in the canonical Dharmasūtras. This comparison must be understood to refer to the common element in both the concepts, namely, the category of public functions of the king. From this standpoint it appears that both Arthasāstra and Rājadharmā have virtually the same nature, involving in either case the art of government in a monarchic State. The Arthasāstra, however confines itself exclusively to the investigation of the phenomena of the State while Rājadharmā deals with the same as an incident in a comprehensive scheme of duties ordained by the Creator. Hence while the canonical writers mention only the rudī

* In the parallel passage of Kāmandaka (III 3-5) paraphrasing Kauṭilya's text, the view of the school of Bṛhaspati is based upon the argument that mankind is principally addicted to the pursuit of wealth (lokaśyārtahapradhānavat).

† Śaṅkarācārya commenting on the parallel passage of Kāmandaka (III 5) illustrates this argument by the analogy of the nave of a chariot wheel (rathanābhivat).

ments of public administration, the secular authors are able to treat their subject on a vastly enlarged canvas: they treat the institutions of the State alike in their normal and healthy as well as abnormal and diseased condition, and make the first serious attempt to grapple with the concrete problems of administration. A second point of comparison suggests itself in connection with the basis of the parallel concepts. Arthaśāstra, as we have seen, is independent of the sacred canon, and is the product of the secular schools and individual teachers. Hence it lacks the positive character attaching to the Rājadharmā by virtue of the latter's association with the great concept of Dharma (Law or Duty). We may, lastly, compare the twin concepts from the point of view of Ethics. Since Rājadharmā is equivalent to the Whole Duty of the king, its rules are determined by the ideal of the highest good of this individual. Arthaśāstra, on the other hand, has avowedly for its end the security and prosperity of the State. Accordingly its rules of kingly conduct are determined primarily with reference to the interests of the State alone.*

Although Rājadharmā was specially a concept of the sacred canon, there was one secular teacher who treated the similar concept of Ksatriyadharmā in his own system, and made it the basis of comparison with the parallel groups of duties (dharmas). This

* At a later period, in the Rājadharmā sections of the Sāntiparvan and the Manusamhitā, the canonical authors absorbed the system of the Arthaśāstra in their grand synthesis of kingly duties. The result was that the distinction between Arthaśāstra or Daṇḍanīti and Rājadharmā became one of nomenclature alone. *Infra*, Chap. IV.

estimate was naturally coloured by the limited outlook of the author whose horizon was bounded by his subject.* In the Śāntiparvan Bhīṣma quotes a remarkable address uttered by the god Indra who, it will be remembered is elsewhere mentioned as an author of the science of polity,† and is quoted by Kauṭilya in the person of his follower‡ In the passage in question king Māndhātā addressing the god says, "I have attained immeasurable worlds and spread my fame by following the extensive duties of the Kṣatriyas I do not know how to fulfil the chiefest duty which emanated from the primeval God ' Indra replies that those who are not kings and seek for virtue do not* attain the highest felicity The duty of the Kṣatriya was first produced out of the primeval God, and then came the other duties which are its parts, as it were The remaining duties have been created as possessing a limit, but the duty of the Kṣatriya has no limits and has many systems Since all the duties are absorbed in this duty, it is declared to be the highest. As the classes (*varṇas*) Indra goes on observe their respective duties by the help of the Kṣatriya duty, the former duties are declared to be useless Those

* Similarly Kauṭilya at the close of his work declares that the Arthaśāstra secures the acquisition and protection of this and the next world and that while setting in motion and guarding the threefold end of existence, it destroys the reverse.

† Cf Śāntiparvan, LVIII 2 and LIX 83.

‡ The term used by Kauṭilya is Bāhūdantiputra, which means, according to Prof D R Bhandarkar (op cit p. 93) a follower of Bāhūdantin (Indra) i.e. of the system of Arthaśāstra laid down by him

who do not observe the established usage and are constantly engaged in the pursuit of desirable objects, are declared to be persons having the nature of beasts : as the duty of the Ksatriyas secures for them the right course by the application of means contributing to their welfare (arthayogāt), it is better than the duty of the orders (āśramas).^{*} In this extract, it will be noticed, the author brings the concept of Ksatriyadharma into relation with other branches of dharma, and awards it the palm of excellence. This, it is urged, subsumes the other dharmas : it is the mainspring of the duties of the classes (varṇadharma), and it is the instrument for directing the untamed man, to the pursuit of the good life.

Although the definition of Arthaśāstra was sufficiently wide to apply to monarchies as well as republics, it was the former type of State that fixed itself in the standard categories and concepts of this science.[†] An interesting discussion quoted by

^{*} Sāntiparvan, Ch. LXIV 16 ff. ; LXV 6-7.

[†] In consequence of this association the Hindu science of polity was identified at a later date with the institution of the monarchic State. Thus the Mahābhārata (Sāntiparvan Ch LVIII 3) applies the significant designation of writers of treatises on the kingly science (rājaśāstrapraṇetārah) to seven specified authors of the Arthaśāstra. In the same work Daṇḍanīti is so thoroughly identified with the monarchic State that Bhiṣma (Ibid LIX 5-130), replying to a query about the origin of kingship, begins by describing the creation of the science by the god Brahmā. Kāmandaka (I 7-8) uses the epithet 'rājavidyā' as a synonym for the science of polity. In the Śukranītisāra (IV 3. 56) Arthaśāstra is explicitly defined as involving the instruction of kings in good behaviour. *śrutismṛityavirodhena rājavṛttādīśāsanam suyuktyārthārjanam yatra hyarthaśāstram taduchyate.*

Kauṭilya* concerning the relative seriousness of the 'calamities' thereof shows that the early authors of the Arthashastra accepted as an article of their political creed the category of seven elements of sovereignty † These consist of the king (svāmin), the minister

* pp 322-324

† The technical term that is used as the designation of the seven constituent elements of sovereignty is prakṛiti (cf Kaut. VI 1 VII 1 Ibid 2; Kāmandaka VII XXI XXII; Manusamhitā IX 294; Yājñavalkya I 843) Besides the category of seven elements Kauṭilya (p 259) includes the hostile king in the list of prakṛitis. Prakṛiti is also applied to mean the twelve constituent parts of the 'maṇḍala' or system of States; these multiplied by five (scill the seven elements of sovereignty except the king and the ally) yield sixty prakṛitis and the total of seventy two (Kaut. pp 260 261; Manusamhitā VII 150) The third sense in which prakṛiti is used in the literature of Hindu polity is citizens or a corporation of citizens. Thus the lexicographer Kātya, who is older than Amaraśiṣha (fl 4th cent A. D) gives paurāṇ and amātyāṇ as the synonyms of the term (vide the quotation of Kalrasvāmin, commentary on Amara koṣa II 8 18) The Amarakoṣa (loc cit.) gives the synonyms 'prakṛitayāṇ rājyaṅgāni and paurāṇām āraṇayāṇ while Śāivata, who belonged to the close of the 6th and the beginning of the 7th century has the equivalents prakṛitīḥ paurāṇ and amātyādīḥ; It is very probable that prakṛiti in the sense of the element of sovereignty was known to the authors of the Arthashastra before Kauṭilya's time for that writer (p 430) claims the credit of originality for applying the term to the members of the maṇḍala alone Kāmandaka indeed quotes (VIII 5) Brihaspati as saying that sovereignty consists of seven prakṛitis.

The term prakṛiti in its application to the category of seven elements, has been translated by some scholars (e.g Bühler S B E Vol. XXV p. 30.) as the constituent part of a kingdom Others (e.g. K P Jayaswal *Cakrānta Weekly Notes* Vol XV p. 275) translate it as the element of sovereignty Dr Bhamasastry interprets it in both ways (vide English translation of Kauṭilya's Arthashastra pp 310 395) The difficulty in this case arises from the fact that 'rājyam' of which the seven elements are declared to be the

(amātya), the territory (janapada), the fort (durga), the treasury (koṣa), the army (daṇḍa), and the ally (mitra).^{*} This list implies, to begin with, the monarch who is the apex of the administrative structure. The king, however, is not an omniscient and self-sufficient despot, for the amātya is declared to be one of his indispensable adjuncts. Further, the above definition includes the material, the financial, and the military, appliances of government. Lastly, it comprises, and this is significant of the enormous importance of foreign policy in the system

component parts or limbs (cf. Manusamhitā IX. 294-295; Sāntiparvan LXIX 64-65; Kāmandaka VII 1 Amarakoṣa I. 6 5; Sukranīti I 61) is capable of a twofold interpretation. Etymologically it means royalty or sovereignty (rājñah karma bhāvo vā), and derivatively it signifies a kingdom. Now neither Kauṭilya nor Kāmandaka has cared to define 'rājya,' nor indeed does it appear that the distinction between State and Government presented itself to them or any other Hindu political philosopher. We are inclined to hold that the category of seven elements implies the concept of 'sovereignty', or 'government' rather than 'State' or 'Kingdom'. This interpretation is supported by the definition in a later work of 'rājyam' in its application to the seven limbs. Saṅkar-āryya, commenting upon Kāmandaka's list of the seven elements (I 18) writes, " 'Rājyam' is kingship or kingly function (rājatvam), which is used to signify the appellation and the connotation of the term king "

* In the above list we have translated 'amātya' as minister. In the Arthasāstra works, however, the term, strictly speaking, is a genus of which the councillors (mantrins) are a species. Thus Kauṭilya (p. 17) writes that the 'amātyas' who are purified by all the four tests should be appointed mantrins. The lexicon of Amara has preserved the same sense of difference between the two terms. It has (II. 8 4) 'mantri dhisachivohmātyah anye karmasachivastatah,' on which Kṣīrasvāmin comments as follows, 'tato mantrino anye amātyāḥ karmasahāyāḥ niyogyākhyāḥ'. In later times amātya and mantrin became convertible terms. Thus Sarvānanda, commenting on the above verse from Amara, writes 'mantritrāyaṃ mantriṇi.'

of the Arthasāstra, an allied king * We may thus sum up the essential features of the Arthasāstra idea of Government by saying that it involves a king assisted by his minister and foreign ally and equipped with the necessary material appliances

The category of seven elements obviously involves the consideration of government from the point of view of its composition Another political category which goes back to the same early period deals with the king as the reservoir of power Kauṭilya quotes in one place † the opinion of an early teacher regarding the relative importance of the three 'powers' (śaktis) of the king This shows that the category in question had at an early period become the possession of the Arthasāstra. The three 'powers' are the power of good counsel (mantraśakti) the majesty of the king himself (prabhuśakti), and the power of energy (utsāhaśakti) Kauṭilya defines these as consisting respectively in the strength of knowledge, that of the army and the treasury, and that of heroic valour ‡ This category so far as it goes, obviously exhibits the State as ruled by the human qualities of physical might, energy and knowledge The State in other words, is viewed as a work of art, requiring the exercise of the king's mental and moral qualities for its successful direction §

* It is pertinent to observe in this connection that the concept of *maṇḍala*, which like that of the seven elements is one of the fundamental propositions of the early Arthasāstra makes the individual king part and parcel of a system of States.

† p 330

‡ p 261

§ The rule of chance indeed is not altogether eliminated Both Kauṭilya (p 321) and Kāmandaka (XXI 18 21) e.g

Such are the two concepts of government that are taken by the authors, whom Kautilya quotes, to be the ground-work of their system. As we have hinted above, these authors proceed to weigh the relative importance of the constituent elements in each case. In the instance of the category of seven elements, they treat the point as a question of political pathology. They consider the elements, in other words, not in their normal healthy state, but in their abnormal diseased condition which is technically called 'vyasana.' Among the 'vyasanas' of the seven elements, it was asked, what was the scale of relative seriousness? The unnamed author so often quoted by Kautilya held that in the list of the king, the minister, the territory, the fort, the treasury, the army, and the friend, the 'calamity' of each preceding one was more important than that of the one immediately following. This gradation was adversely criticised by other teachers who considered the 'calamities' of the elements in a series of successive pairs.* We are not here concerned with the arguments, but we must not miss the general significance of the arrangement in a graded scale. This unmistakably points to the fact that the idea of organic unity of government had not yet dawned upon the minds of the Hindu political thinkers.

divide the 'calamities' befalling the component elements of sovereignty into two kinds, namely, the providential and the human. In another place (p. 260) Kautilya states that the three-fold status of a kingdom, namely, its decline, stagnation and progress, is determined by good and bad policy as well as by good and evil fortune, for both providential and human causes govern the world.

* Kautilya, pp. 322-324.

As regards the category of three powers, the authority whom Kauṭilya quotes under the reverent title of the preceptors (āchāryyas) considers the king's energy to be more important than his majesty. The king it is argued, who is brave strong and armed, is himself able with the help of his army to overpower a powerful enemy, while his army, small though it is, fired by his prowess, is capable of performing its task. On the other hand, the king who is devoid of energy but has a strong army perishes overpowered by heroic valour. The same teacher, it further appears held on other grounds that the king's majesty was superior to good counsel*. According to this view, then, statecraft is primarily a race for the display of personal energy, and only secondarily a game of craft and skill.

In assimilating the monarchic State within their own concepts and categories, the Arthasāstra followed a parallel line of development with the canonical Dharmaśāstras which, as we have seen in another place, recognise the king as a normal element in the social system.† The Arthasāstra, however, did a distinct service to the cause of political theory by ruling out the purohita⁹ from the list of proximate factors of government. The royal chaplain as we have observed elsewhere was magnified in the Brāhmaṇa works as the earthly Providence guarding both the king and the kingdom. In the Dharmaśāstras he is figured as helping the fulfilment of the king's special duties

* Kauṭ. p. 339

† Supra, p. 62.

as a king and general duties as' a householder.* Now the early teachers of the Arthaśāstra did not probably ignore this powerful individual. Kautilya, indeed, requires the king to follow his 'purohita' as a disciple does his preceptor, a son his father and a servant his master, while he places this functionary in the front rank of the State officials.† Nevertheless, as will appear from the above, the 'purohita' is conspicuous by his absence in the list of the seven elements, while a place is found therein for the minister and the ally. Nor is the purohita's special skill in the use of charms and spells included in the list of three 'powers' of the king.

The theories of kingship laid down by the teachers whom we are now considering, it seems to us, carry into fuller detail such ideas as are hinted at in some of the Dharmasūtras. For while these authors emphasize on the one hand the principle of monarchical authority, they inculcate on the other hand rules and principles tending to check the abuses of the royal power. We have thus, in the first place, a number of passages stressing the enormous importance of the king's office from the point of view of the needs and interests of the people. As the monarchic State is the norm and type of polity in Hindu political theory, these passages might, we think, be also taken to embody the authors' view of the function of the State in relation to the individual. We shall commence with a short extract quoted by Bhīṣma from Bhārgava's (Śukra's) discourse on

* Cf. Vas. XIX. 5.

† Kauṣ. pp. 16, 247.

kingly policy "One should first have the king then the wife and afterwards wealth, for if there were no king how (could one enjoy) the wife and the wealth?"* To put the main idea of this passage into the technical language of political theory, it means that the king's office is the security of the institutions of family and property. This idea is brought out more fully in a longer extract of the *Mahābhārata*. In Chapter LXVIII of the *Śāntiparvan* we are told how Vasumanas put to the sage Brihaspati the very suggestive query, 'Through whom do the creatures flourish and decay?' In reply the sage describes in burning language both the evils happening in the king's absence, and the blessings following from his existence. The duties of the people, he says, have their root in the king: the people do not devour one another through the fear of the king alone as creatures would plunge in dense darkness owing to the non appearance of the sun and the moon, as fishes in shallow water and birds in a safe place would fight one another and assuredly perish, so would these people die without the king and they would sink into utter darkness like cattle without the herdsman. If the king were not to afford protection, property (lit. the sense 'this is mine') would not exist: neither wife nor child nor wealth would be possessed; everywhere wealth would be stolen.

* *Śāntiparvan* LVII 41. In the above extract we accept with Prof. D. R. Bhandarkar (op. cit. p. 187) the reading *Akhyāte rājacharite* of the South Indian recension in the place of *Akhyāne rāmacharite* of the Bengal and Bombay recensions. We also adopt Dr. Bhandarkar's identification of *Bhārgava* with Śakra.

various kinds of weapons would be hurled against the virtuous; vice would be approved; the parents, the aged persons, the preceptors and the guests would suffer pain or death; there would be neither disapproval of adultery nor agriculture nor trade-routes; virtue would perish and the Vedas would not exist; there would be no sacrifices attended with rich presents according to rule, no marriages and no convivial meetings; every one would perish in an instant, being afflicted with fear and troubled in heart, uttering cries of woe and losing consciousness. When the king affords protection, it is urged on the other hand, the people sleep with the doors of their houses unbarred; the women, decked with all ornaments and unguarded by males, fearlessly walk about the streets; the people practise virtue instead of harming one another; the three classes perform great sacrifices of various kinds; the science of agriculture and trade (vārttā) which is the root of this world exists in good order*. The gist of the long extract just quoted may perhaps be expressed by saying that the happiness and indeed the existence of the people, the institutions of society, the rules of morality and religion as well as the sciences and the arts, depend upon the king's office, or, to put it in a more general way, these have their being in the organised political society represented as usual by the monarchic State. Apart from its value as thus constituting a strong argument in favour of the king's authority, the above passage has, we think, another significance. For it expresses in the course

* Ibid LXVIII 6, 8, 10-13, 15, 17-18, 21-22, 24, 30, 32-33, 35.

of the argument the author's conception of what may be called the natural state of man, the state, i.e., in which there is no political superior. This of course excludes—and here we touch on one of the central ideas of the Hindu political thinkers—a belief in the natural instinct of man as itself forming the cement of social life. Furthermore, in the passage just quoted, the 'State of Nature,' as it may well be called, is specifically conceived as a condition of wild anarchy—a conception which we think, here finds its first expression in Hindu literature, if we ignore the slight reference in a Brāhmaṇa text which has been quoted in another place*. The importance of this notion in subsequent times as forming the historical background of the theories of the origin of kingship will, it is hoped, be sufficiently demonstrated in the course of the following pages.

The above view of the king's office as subserving the primary needs and interests of the people might have sufficed as it had done on a smaller scale in Gautama's Dharmaśāstra† to support the creed of royal authority. Nevertheless some of the teachers whom we are now considering invoke, in further justification of the king's authority over his subjects, a notion familiar to the Vedic Samhitās and the Brāhmaṇas, the notion, namely of the king's divine nature. In the present instance however as we hope to show now, the latter idea is interpreted mainly on the basis of equivalence of the king's functions to those of

* Supra, p. 41

† Supra, p. 63

the deities. Thus the two principles with which we have now to deal centre equally on the idea of essential importance of the king's office. Another point to be noted in this connexion—and here again the advance of the Arthaśāstra thought in comparison with that of the Dharmasūtras is unmistakable—is that the obligations of the subjects with reference to their ruler are conceived in the present case to be not merely negative but also positive in character.

Let us illustrate the above remarks with the help of concrete examples. In Chapter LXXII of the Śāntiparvan Bhīṣma describes what purports to be the discourse of the Wind-god to a king called Purūravas. There is nothing improbable in the god figuring in the list of Arthaśāstra teachers, since the Mahābhārata elsewhere mentions the gods Indra and Viśālākṣa (Śiva) as the authors of treatises on the Art of Government (rājaśāstra).^{*} The gods, the men, the Fathers, the demi-gods, the serpents and the demons, says the god of Wind in the course of the above address, live by sacrifices; but in a country without a king, there can be no sacrifice. The gods and the manes, he continues, live by the offering made in the sacrifice. The security and the increase of this virtue (dharma) depends upon the king alone. He who confers immunity from fear, concludes the sage, is alone entitled to high merit, for there is no gift existing in the three worlds equal to the gift of life. The king is the god Indra, he is Yama, he is virtue personified (dharma), he assumes different forms,

* Śāntiparvan LVIII 1-3.

he sustains all.* In this extract, it will be observed, the argument based upon the value of the king's office as ensuring the condition of bare existence is complete by itself. Nevertheless the idea of the king's divinity based upon his identification with three specific deities is thrown in at the end, obviously to further strengthen the principle of authority. Again in Chapter LXV of the Śāntiparvan the god Indra is quoted as addressing king Māndhātā in the following fashion. Of the person who slights the king—that is beyond doubt the lord of all, neither the gifts nor the libations nor the offerings to the manes bear fruit. Even the gods do not slight the king of virtuous desire who is like an eternal god. The divine Lord of creatures (Prajāpati) created the whole world he seeks the Kṣatriya for the purpose of directing the people towards virtue and leading them away from sin † In this passage, it will be noticed the author teaches by appeals to formidable spiritual sanctions the obligation of respectful submission on the part of the subjects and he connects this with the theory of divine ordination of the Kṣatriya ‡ We shall, lastly refer to a lengthy extract of the Śāntiparvan purporting to embody the sage Brihaspati's reply to the king Vasumanas. Through whose worship do the creatures attain imperishable bliss? Such is the question put by the king as a rider to his query men

* Ibid LXVII 20 26

† Ibid LXV 28 30

‡ The doctrine of divine ordination of the king is inculcated along with that of the Brāhmaṇa by another teacher quoted in the Mahābhārata. *Infra*, p 109

tioned above, which relates to the importance of the king's office. In reply the sage states, "Who will not worship the person in whose absence all creatures perish, and through whose presence they always live?" He who bears the king's burden, continues the sage, and follows the course, which is dear and beneficial to him, conquers both the worlds. The man who even thinks of harming the king doubtless suffers pain here on earth, and goes to hell hereafter. The king must not be despised from an idea that he is a mere mortal, for he is a great deity in human form. He constantly assumes five forms, namely those of Fire, the Sun, Death, Kubera and Yama; he is Fire, when he burns the wicked with his majestic lustre; the Sun, when he oversees all beings by means of spies; Death, when he slays the impure persons by the hundred; Yama, when he applies severe punishment to the impious and fosters the pious; and Kubera, when he bestows wealth upon his friends and snatches it away from his enemies. The skilful man, who desires to practise virtue and is persevering in his undertakings and who does not scorn the highest world, should not revile the king. He who acts against the king, be he his son, brother, favourite or like his own self, does not attain happiness. One should shun all the king's wealth from a distance, and he should abhor theft of the king's property as he abhors death. If he were to touch the king's property, he would instantly perish like deer touching a trap. The intelligent man should guard the king's property as he guards his own. Those who steal the king's property sink for a long time into a deep, terrible, unprosperous, and senseless

hell * Here it will be observed, the teacher combines in an attempt to justify the principle of authority, the conceptions relating as well to the essential importance of the king's office as to his divinity. The latter idea, it may be further noted is derived from a metaphorical assimilation of the king's functions with those of five specified deities the divinity in other words, is held in this case to apply to the king's office rather than to his person. With the twofold notion of kingship just mentioned the author connects in the above extract, a list of duties on the part of the subjects which he tries to enforce as usual by the threat of spiritual and temporal penalties. The duties lastly, with which the subjects are charged in this case, are not merely as in the preceding passage, of a negative kind they pass by an insensible gradation from the negative act of non-slandering and of non-stealing to the positive obligation of obeying the king's commands and sharing his burdens.

We have thus far considered those doctrines of the nature of the king's office which were properly interpreted by the teachers whom we are now considering as pleas for the king's authority over his subjects. Let us proceed to examine the principles laid down by the same writers which tend to

* Ibid LXVIII 37-38 Verse 10 in the above extract beginning with the words *na hi jātyavimantavyo manuṣyā hi bhūmipāḥ* occurs in a slightly changed form in *Manu* (VII 8) while verse 11 in the former resembles verse 10 of the latter. This shows on the basis of the acknowledged principle of interpretation in such cases that both the above verses must have belonged to an earlier collection of royal maxims. We have thus corroborative testimony pointing to the antiquity of the extract cited above.

limit that authority. As in the *Dharmasūtras, so in this case it appears that protection is insisted upon as the cardinal duty of the king. This indeed, if we are to trust the references in the Śāntiparvan, is the view even of those teachers who are pronounced exponents of the monarchic cult. Thus in one place seven specified authors of treatises on the science of polity including Brihaspati and India are quoted by Bhīṣma as placing protection in the fore-front of the king's duties. Again the Wind-god, in the course of the address from which we have already quoted, declares that the king acquires a fourth part of the spiritual merit earned by his well-protected subjects.† It is further to be observed that the doctrine of divine ordination of the Kṣatriya which, as we have seen, is put forth in one of the extracts of the Mahābhārata is so framed as to involve the king's divine duty of just government rather than his divine right to rule ‡ Finally, it may be mentioned that one of our present authors, in stressing the essential duty of protection, virtually imposes a limitation upon the duty of the subjects with reference to their ruler, as conceived by these thinkers. In Chapter LVII of the Śāntiparvan Bhīṣma quotes two verses from Prāchetasa Manu's discourse on the kingly duties. Prāchetasa Manu is included in the list of seven authors of treatises on the kingly science and he was no doubt the founder of the school so often quoted by Kautilya. Now in the above verses

* Ibid LVIII 1-4

† Ibid LXXII 19-20

‡ Ibid LXV 30 ; cf *supra*, p 94.

it is declared that six persons should be shunned like a split boat at sea. These are the preceptor who does not teach the sacrificial priest who does not study the Vedas the king who does not afford protection, the wife who has a sharp tongue, the milkman who wants to stay in the village and the barber who seeks the forest.*

We may next mention a more important, and as it seems to us original principle formulated by some of the teachers whom we are now considering. This consists in the idea of Justice or Righteousness as forming the rule of conduct on the part of the king. In the period with which we are here concerned the classical text bearing on the above point is the long discourse of the sage Utathva 'the best of those versed in knowledge of the Supreme Being' which Bṛh̥sma quotes in Chs XC-XCI of the Śānti parvan. The most convenient approach to the idea of the teacher may perhaps be made through a number of passages inculcating on the king the necessity of his just rule. When sin is not restrained says the sage virtuous conduct disappears vice reigns supreme there is constant fear property as well as the settled rule of the virtuous doth not exist neither wife nor cattle nor fields nor houses are to be seen the gods do not receive worship nor the Fathers their oblations of food the guests are not honoured the upper classes engaged in vows do not study the Vedas the Br̥hmanas do not perform the sacrifices and the minds of men are bewildered like those of senile creatures. When

the king is intoxicated, Utathya mentions further on. there are born in families owing to the confusion of duties wicked monsters as well as the sexless, the defective in limb, the mute in speech and the diseased in mind : hence the king should particularly look to the welfare of his subjects. Returning to the former point, the author says that in the event of the king being intoxicated, there arise grave evils : unrighteousness leading to admixture of the castes grows in extent : there is cold in the hot season and *vice versa* : there is drought as well as heavy rain : diseases overtake the people : comets make their approach, inauspicious planets are seen and various evil omens portending the king's destruction are visible. When the king abjures virtue and is intoxicated, the sense of property (lit. 'mine-ness') does not exist. In a later passage we learn that the four ages of the world are comprised in the king's occupation, and that the king is the representative of the age. When the king is intoxicated, the four castes, the Vedas and the four orders, are thrown into complete confusion, and likewise the three-fold sacrificial fire, the sciences as well as the sacrifices attended with presents. The king himself is the maker of creatures as well as their destroyer.* These passages embody, apparently for the first time, a view which, it seems to us, is peculiar to Hindu political thought, namely that unrighteousness on the king's part is the cause of disturbance of the social, the moral and even the physical order. Conversely, it would appear, the king's righteous rule is the

* Ibid XC 8-12, 33-37, 40 ; XCI 6-7.

foundation of the ordered existence of the world. Incidentally it may be noticed, the above extract declares the king in language of bold hyperbole to be the maker of his age and the arbiter of his subjects' destinies—an idea which, as here expressed is obviously meant not so much to exalt the king's authority as to impress him with a sense of his responsibility. This concept of the king's connection with the age-cycle is noticeable since it is mentioned as we hope to show later on in the subsequent canonical as well as *nītiśāstra* literature.

Not only does the sage Utathya conceive the king's righteous rule to be the foundation of the ordered existence of the people, but he also rises to the conception of righteousness being the bounden duty of the king. The king he says in the opening lines of his address exists for the sake of righteousness and not for self gratification (*dharmāya rājā bhavati na kāmakaranāya tu*). The creatures he continues depend upon righteousness which in its turn depends upon the king—the king who rightly upholds virtue is indeed a king (lit. the lord of the world). The sages themselves Utathya says further on after casting their eyes on both the worlds created that exalted being of a king with the idea that he would be the guardian of virtue. This line of argument leads the teacher in the course of the above address to introduce apparently for the first time a sharp contrast between the good king and the tyrant. If the king practises righteousness it is urged he attains very nearly the position of a god while he goes to hell if he does the reverse. The person through whom righteousness flourishes is

verily called a king (rājan), while he through whom it decays is called by the gods the destroyer of righteousness (vrisala). Of the same nature is the distinction drawn by the sage between the haughty and the modest king. One becomes a king, he says, by vanquishing pride and a slave by succumbing to it.*

Finally, the rule of righteousness, as inculcated by another teacher who is likewise quoted in the Śāntiparvan, is held however unconsciously to furnish the most effective limitation of the doctrine of submission and obedience on the part of the subjects. Addressing the king Vasumanas, as we learn from the above quotation, the sage Vāmadeva says, “Follow righteousness alone, there is nothing higher than righteousness, for it is those kings that are devoted to righteousness that succeed in conquering the earth” In developing this exhortation in the course of the following lines, the teacher throws out a remarkable plea in favour of tyrannicide which, so far as we are aware, strikes a new note in Hindu political theory. The unjust king who employs sinful and wicked ministers, says the sage, should be slain by the people (vadhya lokasya).†

It will appear from the above that the theories of kingship in the Arthasāstra, while corresponding broadly to those of the Dharmasūtras, are not lacking in the formulation of original principles. Originality, however, is the dominant note of the rules of practical politics which constitute, as the definition of the science indicates, the core of the Arthasāstra. This remark applies not merely to the rules themselves,

* Ibid XC 3-5, 13-15 · 27. † Ibid XCII 6, 9

but also and above all to the ideas underlying them. The first and the most important point that arises in this connection is the consideration of the authors' attitude towards morality and religion. 'The remarkable criticism of the traditional list of sciences by three of the Arthasāstra schools has shown us that at least to two of them, namely, the schools of Brihaspati and Śukra, not only was the Art of Government an independent science by itself, but, what is more important, the holy Vedas themselves had no right to count as a branch of study bearing on the practical affairs of men. Yet it is neither Brihaspati nor Śukra that has left us what may be called the earliest specimens of Machiavellian statecraft in Hindu political theory. Kauṭilya cites in one place the views of various authors relating to the king's control of the princes. Bhāradvāja, we learn from this, prescribed secret punishment for those princes who were wanting in natural affection for their father; Vāṭavyādhi suggested that the princes should be seduced to sensual indulgence on the ground that revelling sons never hate their father; lastly the Āmbhīyas (āchāryyas?) recommended that while one spy should tempt the prince to indulge in hunting dice and women another spy should prevent this.* These opinions exhibit within the limited range of their application an unmistakable disregard for morality for the sake of ensuring what is conceived to be the interest of the king. None of the teachers with whom we have now to deal however carried the subordination of morality to politics to

such a pitch as Bhāradvāja. In Chapter CXL of the Śāntiparvan we are told how king Śātruñjaya asked Bhāradvāja as to the mode in which that which is not gained can be won, that which is acquired can be increased, that which is increased can be protected, and that which is protected can be given away. In these four functions is comprised, as we learn from the later testimony of the Manusamhitā and of Kāmandaka the whole compass of the king's activity.* The sage's reply, as might be expected, covers a wide range of home and foreign policy. It will be enough for our present purpose to extract some select passages out of this address. The king, we are told, should be humble in speech alone, but sharp at heart, like a razor. He should carry his foe on his shoulders as long as the time is unfavourable, but when the opportunity arrives he should dash his enemy to pieces like an earthen pot on a piece of rock. The king who desires prosperity should slay the individual who thwarts his purposes, be this person even his son, brother, father, or friend. Without piercing the vitals of others, without committing cruel deeds, without slaying creatures even in the fashion of fishermen, one cannot attain high felicity. When wishing to smite, he should speak gently, after smiting, he should speak gentler still; after striking off the head with his sword, he should grieve and shed tears. The remnants of debt, fire and enemies, increase over and over again; hence he should not tolerate this remnant. These rules, the teacher concludes, have been

* Cf. p. 75, *supra*.

laid down for times of distress why should not they be applied when one is attacked by an enemy? For cold calculating treachery and heartless cruelty it would be hard to match the sentiments of the above passage except in the pages of the immortal author of the *Prince* whose name is naturally suggested by it. Even the plea of inexorable necessity is not wanting to complete the analogy.

As Bhāradvāja advises the king to sacrifice the principles of morality to serve his own ends, so he counsels purchase of safety from foreign attack even at the cost of personal honour and self respect. For the heartless exponent of a wicked Machiavellianism is also the pusillanimous advocate of a selfish materialism. Speaking with reference to the conduct of a weak king that is attacked by a powerful enemy, Kauṭilya quotes Bhāradvāja as saying that he who surrenders to the strong person surrenders to the god Indra †

If in the above passages Bhāradvāja makes the king's interest, such as he conceives it to be, the rule of public policy in another place he drops out even this specious plea and advocates the gratification of individual ambition as the goal of statecraft. Kauṭilya quotes in one part of his work a long extract from Bhāradvāja relating to the conduct of the minister (*amātya*) in the event of the throne falling vacant. When the king is lying on his death bed Bhāradvāja says the *amātya* may make the high born princes and chiefs attack one another or other

chiefs. He may further cause the victorious chief to be slain by rousing the hostility of the people. Or else he may secretly punish the high-born princes and chiefs and himself seize the kingdom. For, as this extreme champion of egotistic selfishness remarks, on account of the kingdom the father hates his sons and the sons their father; what, then, of the amātya who is the sole prop of the kingdom? The amātya should not, Bhāradvāja goes on, discard what has fallen into his hands of its own accord, for it is a popular saying that a woman making love of her own accord curses her man when she is discarded. Opportunity comes once only to a person who is waiting for the same, and it is hard to be attained again by the person who wants to accomplish his work.* In the above passage, we think, the statecraft of the early Arthaśāstra reaches its nadir. It has not even the saving grace of regard for the public interest which, in Machiavelli for instance, is the grand justification of the author. On the contrary the author parades his creed of unbridled selfishness and holds up the State itself as the standing example of its free play.

In Bhāradvāja, then, the Machiavellian creed of the old Arthaśāstra is, as it were, incarnated. It would, however, be a mistake to suppose that this represents the universal or even general attitude of the early Arthaśāstra. Even in its existing fragmentary condition we can specify at least one individual teacher who made a stand against the wickedness and baseness of Bhāradvāja's statecraft. In

* Kauṭ. p. 255.

the same chapter in which Kautilya quotes the suggestion of Bhāradvāja relating to the secret punishment of undutiful princes, he quotes the views of other teachers of the Arthasāstra. From this we learn that Viśālākṣa rejected the opinion of Bhāradvāja on the ground that the latter's suggestion involved cruelty, loss of fortune, and extinction of the seed of the Kṣatriyas*. Again we learn from Kautilya how Viśālākṣa, unlike Bhāradvāja, counselled the weak king to fight with all his strength against a powerful aggressor for, as Viśālākṣa remarks the display of prowess dispels calamities, while fighting is the particular duty of the Kṣatriya†.

From these remarks relating more or less to the general nature of the early Arthasāstra statecraft we proceed to consider the ideas underlying a specific branch of the same the branch, namely that is concerned with the rule of punishment (daṇḍa). In this case it might be doubted whether the Arthasāstra broke absolutely new ground since Gautama, the author of the Dharmaśāstra, hints in one place at the function of punishment as a restraining influence‡. However that may be Kautilya quotes in one passage a particular authority as saying on the ground that there was no such means of bringing people under control as punishment that the king should be ever ready to inflict this§. Of the same nature is the view of Bhāradvāja quoted from his discourse to king Śatruñjaya in Chapter CXL of the

* Kauṭ. p. 32 R. Shamasastry's translation.

† Ibid p. 382.

‡ Gaut. XI 28.

§ Kauṭ. p. 9.

Śāntiparvan. "Let him (viz. the king) be ever ready to strike, his prowess constantly displayed; himself without a loophole, he should watch the loophole (of the enemy) and should seize the weak point of his foes. Of him who is ever ready to strike, the world stands very much in awe; let him therefore make all creatures subject to himself by the employment of force" * As these verses occur with slight changes in the Manusamhitā,† we have a corroborative evidence testifying to their antiquity. In the above passages, it will be observed, punishment is conceived as the grand engine of social order. Another verse which is similarly common to the Manusamhitā and the Mahābhārata goes further, and claims that punishment is, as it were, the active and beneficent Providence watching over the affairs of men. "Punishment alone governs all created beings, punishment alone protects them, punishment watches over them while they sleep; the wise declare punishment (to be identical with) the law." ‡ The idea first mentioned, namely, that punishment is the great instrument of social order, receives a psychological setting in a third verse which is found alike in the Mahābhārata, and the Manusamhitā. "The whole world is kept in order by punishment, for a guiltless man is hard to find; through fear of punishment the whole world yields the enjoyments (which it owes)". §

* Śāntiparvan CXL 7-8

† VII 102-103.

‡ Manusamhitā VII 18 = Śāntiparvan XV 2.

§ Manusamhitā VII 22 = Śāntiparvan XV 34.

Let us next consider the views of our present authors with regard to the position of the Brāhmaṇa order in relation to the rest. In the early part of this chapter we have seen how Gāṭama in his Dharmaśāstra inculcated the old principle of the joint authority of the king and of the Brāhmaṇa by making them the source of individual existence as well as of the social and the moral order*. As between these powers, however the authors of the Dharmaśāstras are content with reproducing the old Vedic texts relating to the Brāhmaṇa's independence of the king and the king's subordination to the Brāhmaṇa. The teachers whom we are now considering while repeating the above views ultimately push their theory to the extreme position, of the Brāhmaṇas implying that the Brāhmaṇa is the one primary power of which the king or the Kṣatriya is a derivative. In Chapter LXVII of the Śantiparvan Bhīṣma quotes an old legend relating to the discourse of king Purūravas and the god of Wind. The god after stating how the Brāhmaṇa the Kṣatriya the Vaiśya and the Śūdra were produced respectively out of the mouth, the arms the thighs and the feet of Brahmā says 'A Brāhmaṇa coming into existence is born as the highest on earth the lord of all created beings for the protection of the treasury of the law. Afterwards the Lord created the ruler of the world the second caste the Kṣatriya that he might wield the sceptre for protecting the people. Brahman Himself has ordained that the Vaiśya should maintain these three castes by means of wealth and

* Cf. p. 66 supra.

agricultural produce and that the Śūdra should serve them." * As the first of these verses is identical with the verse I 99 of the Manusamhitā, it has evidently been borrowed in both the works from an earlier collection of metrical maxims, probably from the Arthasāstra of the Wind-god Himself whom Bhisma quotes. The above passage, apart from its bearing on the relative position of the Brāhmaṇa and the king, seems to present some points of interest. It connects itself, to begin with, with the old Vedic dogma of creation of the four castes out of different parts of the Creator's body. Further, it seems to indicate beneath the mask of theological dogma a remarkable appreciation of the principle that we have met with in a passage of Baudhāyana,† the principle, namely, of the specialisation of functions and of the organic unity of society. Lastly, the above extract evidently implies, and this is what immediately concerns us here, that the Brāhmaṇa and the Kṣatriya are invested with a kind of superior authority over the others by right of birth, or else that of divine ordination. The point last mentioned, namely, that which involves the idea of divine ordination of the two powers, is directly mentioned in a verse which is common to the Śāntiparvan and the Manusamhitā. It reads, "For when the Lord of creatures (Prajāpati) created cattle, he made them over to the Vaiśya; to the Brāhmaṇa and to the king he entrusted all created beings" ‡

It thus appears that the teachers whom we are

* Śāntiparvan LXXII 6-8.

† Supra, pp 60-61

‡ Manusamhitā IX 327 = Śāntiparvan LX 23-24.

now considering arrived at the familiar doctrine of the two powers, not as in the Dharmasūtras by making these the source of the other classes, but by adopting the plea of Divine ordination. As regards the mutual relations of these powers, we may first mention the view attributed by Bhīṣma to the sage Kaśyapa. Where the Brāhmaṇa and the Kṣatriya quarrel with each other, says the sage, the kingdom perishes. He concludes by saying that the Brāhmaṇa and the Kṣatriya powers are constantly joined together for mutual support. The Kṣatriya power is the source of the Brāhmaṇa and the Brāhmaṇas are the source of the Kṣatriya power. When these two powers constantly help each other they attain high prosperity but if their primeval alliance is broken everything is plunged into confusion"*. In this passage it will be observed not only are the interests of the Brāhmaṇa and the Kṣatriya held to be interdependent, but their origin is said however illogically, to be inter-connected.

The view stated above, namely that relating to the interdependence of the two powers represents one aspect of the Arthaśāstra thought. We may approach the other aspect through some remarkable pretensions which the priestly pride of the authors led them to advance on behalf of the Brāhmaṇas. In the first of the three verses quoted above from the address of the Wind god it will be noticed that the Brāhmaṇa's lordship is made to vest in him by birth right. The contrast between this verse and the following one which charges the Kṣatriya with the

divinely ordained duty of protection is 'significant. In the following lines the Brāhmana's pretension is pushed further so as to involve his ownership of all things, the king's sovereignty not excluded. There the Wind-god states, "Whatever exists in the world is the property of the Brāhmana on account of the excellence of his origin—this is 'declared by those that are versed in the Sacred Law. The Brāhmana eats but his own food, wears but his own apparel, bestows but his own in alms, for the Brāhmana is the chief of all castes and the greatest and the best. As a woman in the absence of her husband accepts the hand of his younger brother, so this earth makes the king her lord after the Brāhmana." * As the first two verses of this extract are nearly identical with Manusamhitā (I 100-101), we have a corroborative evidence of their antiquity. In a similar manner the reference to the custom of 'niyoga' in the third verse stamps it as belonging to the early times. According to the above view, then, the Brāhmana is the universal owner, and the king rules by his sufferance. The spirit of priestly arrogance which breathes through the above manifests itself in another series of verses attributing divinity to the Brāhmana irrespectively of his merits "A Brāhmana," says Manu in one place, "be he ignorant or learned, is a great divinity, just as the fire, whether carried forth (for the performance of a burnt-oblation) or not carried forth, is a great divinity." And again, "Thus, though Brāhmanas employ themselves in all (sorts of) mean occupations, they must

* Ibid LXXII 9-12

be honoured in every way for (each of) them is a very great deity '* As these verses occur with very slight changes in the Anuśāsanaparvan CLI 21 28 they are evidently derived in both cases from an earlier and common source It is in relation to these extraordinary pretensions laid down by our present authors that we have to consider their final view of the mutual relations of the Brāhmaṇa and the Kṣatriya In two verses which are practically common to the Manusamhitā and the Mahābhārata we read, 'When the Kṣatriyas become in any way overbearing towards the Brāhmaṇas, the Brāhmaṇas themselves shall duly restrain them for the Kṣatriyas sprang from the Brāhmaṇas First sprang from water, Kṣatriyas from Brāhmaṇas iron from stone, the all penetrating force of those (three) has no effect on that whence they were produced " † In this passage, it will be observed not only does the author revert to the extreme view of the Brāhmaṇa texts but he connects therewith the Brāhmaṇa's right of punishing the king for misconduct

Let us conclude this section with a general account of the leading tendencies of the early Arthaśāstra thought, and its place in the history of Hindu political theory The number and variety of these authors have, it is hoped been sufficiently demonstrated in the course of the foregoing pages Nevertheless it is possible, we think, to discover some uniform characteristics transcending this undeniable diversity It thus appears that these authors much as they were

Manu IX 317 318 S B E. Vol XXV pp 394-395

† Manu IX 320 321 S B E. Vol XXV p 395 Cf. Manu parvan LXXV III 21 "

restricted by the strict definition of their science to the domain of practical politics alone, contrived to incorporate a mass of abstract speculations in their teaching. In judging the attributes of the early Arthaśāstra thought, we cannot but mention, at the very start, its striking originality. Not to speak of its categories, the Arthaśāstra in some of its branches such as those dealing with the administrative organisation and statecraft, virtually broke new ground. Nor must we omit to mention the new light that the authors who are quoted in the Śāntiparvan threw upon questions which were debated by the contemporary canonical writers, the questions, for example, relating to the nature of the king's office and the Brāhmaṇa's position in the society and in the State. Originality in respect of political ideas however, is a quality shared by the Arthaśāstra with the Dharmasūtras as well as the Buddhist canon. The distinctive merit of the Arthaśāstra, it seems to us, is to be sought in its fearless freedom of thought. We thus find, in the list of these secular teachers and schools, those that did not hesitate to exclude the Vedas from the category of sciences on the ground of their uselessness in practical life, and those who set up the gospel of naked self-interest of the king or even of the individual minister as the grand canon of statecraft.* With this boldness of speculation is allied a spirit of boundless enthusiasm which makes

* It is instructive to consider in this connection a remarkable dictum attributed to Brihaspati by Bhīṣma in Chapter CXLII verse 17 of the Śāntiparvan. This is to the effect that the rules of duty should be understood neither by means of the sacred text alone, nor by reason alone.

the teaching of the authors quoted by Kauṭilya vibrate with the animation of personal rivalry even at this distance of time. While such may be held to be the merits of the Arthasāstra the candid critic must not ignore its blemishes and defects. The authors cited by Kauṭilya often betray some degree of want of balance* or else of stiffness and formalism of thought†. These authors in short, had many of the defects of youth and inexperience. Yet even this was not without some compensating advantages. There had not, so far as we can judge, yet appeared on the scene a commanding personality whose voice might hush the rest into silence and impose a common standard upon the whole science. Hence the writers of this period were free to indulge their convictions or even idiosyncracies without let or hindrance. Thus they bear in most cases the stamp of a richly diversified individuality such as is rare in the subsequent periods of our history.

What, then, are the services rendered by the early Arthasāstra to the cause of Hindī political ideas? We think that the Arthasāstra represents the grand formative stage in the evolution of these ideas. To the authors of the Arthasāstra works belongs the credit of emancipating politics from the tutelage of theology and raising it to the dignity of an indepen-

* Cf., e.g. the views of the schools of Manu Brihaspati and Śukra regarding the classification of the sciences, and that of the masters about the rule of punishment. *Supra* pp. 79-80 106.

† Vide the mechanical rules laid down by the above three schools for the selection of the council of ministers (*Kautilya* p. 99) and the punishment of criminals (*Ibid* p. 107).

dent science. They made political speculation occupy itself, for the first time so far as we are aware, with the phenomena of abnormal States as well as the normal monarchic State. The criterion which they applied to their rules of public policy was, as we have seen, the interest of the king and in one case even that of the individual minister. This led them often to sacrifice the cherished principles of morality with an almost callous indifference. All these ideas and notions were bequeathed by the authors to the later times and built up, as we hope to show presently, first by Kautilya and afterwards by the Brāhminical canonists into a system.*

——:O:——

Note on the 'Bṛihaspatīsūtras' :—We have endeavoured to describe in the above pages what we conceive to be the leading political ideas of the early schools and teachers of the Arthaśāstra, in so far as these have been preserved for us by the citations of Kautilya and of the Brāhmaṇa canonists. While on this subject, we may consider a short collection of aphorisms on nīti (general morality) that is attributed to Bṛihaspati and purports to embody the sage's address to Indra, the king of the gods. The 'Bṛihaspatīsūtras', as this work is called, has been edited with an accompanying English translation by Dr F. W. Thomas in *Le Museon*, 1916. In its existing form it undoubtedly belongs to a somewhat later period—its learned editor brings down its date 'at least to the twelfth century A D, on the strength of an apparent allusion to the Yādavas of Deogiri in the sūtra III 105. Nevertheless, as the same authority remarks, "The tone and style and even the disjointed and miscellaneous character of the work produce a sense of antiquity it is hard

* It is worthy of remark that the early Arthaśāstra was nurtured in a country of small states, not in a unified empire. As in Ancient Greece and in Mediaeval Italy, a system of small States became in Ancient India the nursery of original ideas.

to conceive of such a work being deliberately compiled by persons acquainted with the *Nītiśāra* of Kāmandaki and the *Sūkranīti*. On the other hand there is little reason to doubt that the *Bṛhaspatiśūtras* does not represent the lost *Arthashastra* work of the school which is so often quoted and criticised by Kauṭilya. As the editor has rightly pointed out it does not contain the matter indicated by the citations of Kauṭilya: on one point indeed namely that relating to the number of the sciences, he differs, as we shall presently observe from the view attributed by Kauṭilya to the school of Bṛhaspati. Furthermore while the latter school as we learn from Kauṭilya's quotations, treated the branches of civil law and warfare as well as public administration the author with whom we are now concerned confines himself to the subject of general morality of which public policy is conceived to be a branch.

Turning to the political ideas of our author it will we think, be enough to mention two examples to illustrate their nature. *Dandānīti* he says at the beginning of his book (I 3) is the only science (*vidyā*). Elsewhere (III 75 78) he observes that *Dandānīti* should be studied by the people of India (*Bhārata*) past present and future, as well as by the four castes. By virtue of *Dandānīti* he goes on the holy Sun is king and Wind and all the gods and all creatures. The main idea embodied in the latter passage is, we think that *Dandānīti* is the basis of authority and the security of universal existence—a conception which might be properly matched with the description of the function of punishment (*danda*) that occurs in the early *Arthashastra*. The former passage by excluding all sciences other than *Dandānīti* would seem to bring the author into line with the extreme school of Śūkra of which we have spoken in the early part of this section.

The rules of statecraft laid down by the author reflect at least in one place the genuine spirit of the *Arthashastra* in as much as these involve the subordination of morality to expediency. He writes (I 4 5) Even right he (*viz.* the king) should not practise when disapproved by the world. Should he practise it it should be after recommending it by persons of intelligence. (Dr Thomas's translation)

III.

We have endeavoured in the early part of this chapter to describe the two groups of political ideas that derived their origin from as many independent fountain-heads. These ideas, as we have seen, are associated, in the case of the Dharmasūtras with the first ordered presentation of the sum of the king's duties, and in that of the Arthaśāstra with the first systematic exposition of the rules of public administration in a monarchic State. The Buddhist canonical works with which we are concerned in the present place, mostly came into being at a somewhat later period than either of the above, and they deal incidentally with a markedly limited range of topics of the State such as principally, the origin of the king's office and the conditions of success in republics. And yet the Buddhist thinkers open, we think, new vistas of thought which justly entitle them to rank with the authors of the Dharmasūtras and the Arthaśāstra as the makers of Hindu political theory.

The view of the origin of kingship in the Buddhist canon is beyond doubt one of its most notable contributions to Hindu political thought. In saying this we are not unmindful of the remarkable anticipations of this theory in some of the Brāhmaṇa texts. But while the Vedic author sets forth what he conceives to be the source of the divine sovereignty of Indra, the Buddhist canonist attempts in the following passages to trace the origin of the human kingship, for the first time so far as we are aware, to its roots in a hypothetical State of Nature. The Buddhist

author moreover introduces apparently for the first time, the notion of an original compact as forming the foundation of the political order. In its fuller form as an incident, that is in the evolution of man and of society, the theory occurs in a well known passage of the *Dighanikāya*. There the *Brāhmaṇa Vasetṭha* (*Vasiṣṭha*) is introduced as asking Buddha whether the *Brāhmaṇa*'s claim of precedence over the other classes was justified or not. In refuting this claim the Master traces the history of creation since the end of the period of dissolution of the world. At first the people were altogether perfect—having no corporeal body, living in satisfaction, resplendent, capable of traversing the air and long living. As they declined more and more from their original state of purity, there gradually appeared among them the differences of colour and of sex, while the institutions of family and property, punishment and the division of the four classes, were introduced into their midst by a series of mutual agreements. The origin of kingship is described in this connection in the following way. When it was found that theft had appeared in the society, the people assembled together, and agreed to choose as king one who would punish those deserving punishment, blame those deserving blame, banish those deserving banishment and in return would get a share of paddy from the people. Then they selected the most beautiful, gracious and powerful individual among themselves and made a contract with him on the above terms. He was called Great Fleet (*Mahāsammata*) for being chosen by a great multitude of men (*mahājana-sammata*) *Kṣatriya* as he was

lord of the fields (khattānam pati), and king (rājan) as he delighted (rañjati) the others in accordance with the law.⁴ A shorter version of the above theory, which concerns itself exclusively with the origin of monarchy and treats even this somewhat perfunctorily, since it does not mention the original state of nature at all, may be found in a passage of the Sanskrit Buddhist canonical work, the Mahāvastu Avadānam. There the Buddha is represented as recounting to the assembled monks the story of the origin of kingship. The creatures, so runs the story in substance, assembled together and agreed among themselves to choose one that was the most gracious and mighty of them all, for the purpose that the latter might punish those deserving punishment and cherish those deserving to be cherished. Then the creatures fixed their choice upon an individual of the above type and induced him, in return for their own payment of one-sixth of the produce of the paddy fields, to undertake the task of punishing the wicked and favouring the good. This person was called Mahāsammata, as he was chosen by a large mass of people (mahājana-sammata) †

Such is the famous theory of the origin of kingship framed by the Buddhist canonists, which for its striking analogy to the Western theories of Social Contract has sometimes been called by the same designation.‡ We shall examine in a later chapter

* Aggañña—suttanta, Dīgha Nikāya, Vol 3, section 27, P. T S edition

† Mahāvastu, Senart's edition, Vol I, pp 347-348

‡ Cf D. R Bhandarkar, op. cit, p 119 ff

how far the title is justified. Meanwhile we shall try to analyse the component elements of the above theory, our remarks being mainly confined to its fuller version alone. The Buddhist theory it will appear from the above, starts with the conception of a mythical perfect age, when men were not, subject to the ills of the flesh and the frailties of human nature. This was followed by a period of growing degeneracy and accumulating evil which in the canonical story furnished the occasion for the creation of organised society. Thus the Buddhist state of nature as it might be called, has its basis in mythology it purports to be a historical fact and is certainly not a mere philosophical concept. From this condition the transition was effected to the next, according to the author by a series of agreements involving the creation of kingship as well as of the institutions of family and property. Thus the Buddhist theory seems to involve two sets of contracts which translated into the language of Western political philosophy would be called the Social and the Governmental contracts respectively. With the first which implies the creation of an organised society we have no concern. The second resulting in the creation of the State, implies two contracting parties namely on the one hand the people and on the other the king whose very title indicates his elective origin. The terms of the contract, lastly involve merely the exchange of the just exercise of the sovereign power on the king's part for the payment of the specified taxes by the people. The contract, in other words gives a historical basis in the past to that view of the relation of taxation

to protection which we have found to occur in one of the Dharmasūtras and which, we think, is one of the root ideas of Hindu political philosophy.

Great as is the interest attaching to the Buddhist theory of the origin of kingship, it unfortunately does not stand correlated to any system of rights and duties on the part of the king and his subjects. In his insistence upon contract as the foundation of the political order and above all in the terms of the contract itself, the Buddhist canonist had evidently discovered a weapon which might be used to justify almost any degree of popular control over the king, and in particular to counter the contemporary doctrines of the respect and obedience of the subjects. Nevertheless, as will appear from the above, no single claim is advanced on behalf of the people in the above passages, the first of which mentions the theory as it were incidentally in an attempt to refute the Brāhmanas' claim of social precedence. Nor, so far as we are aware, was the hidden significance of the theory brought out in any other work except apparently in a passage of the Chatuḥśatikā to which we shall return in a later chapter * Thus the Buddhist theory of contract virtually exists as an isolated phenomenon in the history of Hindu political thought.

We may next consider two other passages of the Buddhist canon which are chiefly important as bringing, for the first time, so far as we are aware, a new type of constitution within the ken of Hindu political theory. The theories of the State with which we have been occupied so long are, it will be

* Chapter IV, section 2, *infra*

seen from the above, the theories of the monarchic State. The two passages, however, which we propose to take up here deal with the phenomena of republics since they give identical lists of seven conditions that are thought to be necessary for ensuring the prosperity of one of the most famous republican communities of Ancient India, namely the Lichchhavi Vajjis. They are thus summarised by Mr Ramaprasad Chanda. In a short dialogue of the Anguttara Nikāya [VII 19] we are told when Buddha was staying at Sārāṇadā-cetiya (caitya) at Vaiśālī a very large party of the Lichchhavis came to him. Buddha explained to them the seven conditions of welfare (satta aparihāṇive dhamme) * These are (1) holding meetings of the clan regularly (2) concord, (3) observance of the time honoured customs and usages, (4) obedience to the elders (5) abstinence from detaining by force or kidnapping women and maidens of the clan. The two other conditions relate to the religious practices and may be translated in full (6) so long as the Lichchhavi Vajjis honour and esteem and revere and support the Vajjian chetiyas in the city or outside it and allow not proper offerings and rites as formerly given and performed to fall into desuetude so long may the Lichchhavi Vajjis be expected not to decline but to prosper (7) so long as the rightful protection defence and support shall be provided for the Arahants of the Lichchhavi Vajjis so that Arahants from a distance may enter the realm and the Arahants therein may live at ease so long may etc. In the Mahāparimibbāṇasuttanta of the Dīgha Nikāya Buddha is made to repeat the seven conditions of

welfare of the Vajjis when addressing Vassākāra the Brāhmana, the prime minister of king Ajātaśatru of Magadha.” * Two important points at once suggest themselves in this most interesting analysis. It is, in the first place, intensely practical in form as well as in substance: it deals with the case of a specific republican community and it gives but a bare list of what the author conceives to be the conditions necessary for ensuring the success of the community. On the other hand, the author is completely silent about the inherent tendencies and characteristics of the republics, which doubtless furnish the basis of his practical precepts. In the second place, the above extracts involve a moralist’s analysis of republican conditions, not that of a political philosopher strictly so called, for in the list of qualifications mentioned therein are included not only the qualities of public spirit, harmony, and conformity to the established usages, but also those of obedience to the elders, protection of women, performance of religious rites, and honour to the saints.

* *Calcutta University Journal of the Department of Letters*, Vol IV, p 34

CHAPTER III

THE ARTHAŚĀSTRA OF KAUTILYA^o AND THE RECONSTRUCTION OF THE SCIENCE.

Kautilya's work involves a virtual reconstruction of the *Arthasāstra*, but confines itself exclusively to the Art of Government and kindred topics—Theories of Professors H Jacobi and D R Bhandarkar considered—Kautilya's rehabilitation of the four traditional sciences is based upon a just appreciation of the ends and purposes of each science in relation to the needs of human existence—His view of the end of Politics (*Arthasāstra*) and the extent of its application—Doctrine of the king's headship of the seven constituent elements of sovereignty (*prakritis*)—Kautilya's theory of kingship combines in furtherance of the principle of authority the idea of the king's divine nature and the theory of his elective origin—G B Bottazzi's view considered—Kautilya on the preservation of dominion—His rules on the acquisition of dominion—His attitude towards morality and religion—Kautilya and Machiavelli—Kautilya's influence upon the subsequent development of political theory

In the course of our survey of Hindu political ideas in the preceding period we have endeavoured to describe the surviving fragments of the lost literature of *Arthasāstra*. The great work which shall occupy our attention in this chapter belongs, as its title indicates to the same branch of literature as these forgotten treatises. But it is conspicuously

distinguished from the rest from the point of view of its general plan and purpose. In the very opening lines the author seems to strike his distinctive note, for he says, "This single Arthaśāstra (work) has been prepared mostly by summarising whatever Arthaśāstra (treatises) were prepared by the early masters regarding the acquisition and the preservation of dominion." The Arthaśāstra of Kautilya thus announces itself as an abstract of the earlier literature on the subject. It might appear from the above that Kautilya drew the diversified and often conflicting views of his predecessors into a common synthesis. This description, we think, corresponds at the best to one aspect of this author's performance. The other and the more important aspect is hinted at in the concluding verse which states, "This manual (śāstram) has been written by the person who quickly and angrily rescued (uddhritāni) at once the science (śāstram), the Art of War, and the earth that had passed to the Nanda king" *. In so far as the obvious reference to the science of Arthaśāstra in the above passage is concerned, we may perhaps explain it in some such manner as the following. In Kautilya's time the literature of Arthaśāstra had grown to be a tangled maze of divergent views. This condition of the science provoked the indignation of Kautilya, an intensely practical teacher if ever there was one, and he undertook at once to sweep away those doubts and difficulties that clogged its progress.

* Kaut. p. 431, Prof. Jacobi's translation, quoted, *Indian Antiquary*, 1918, p. 193. Throughout this work the references to Kautilya's Arthaśāstra are to the revised edition of Dr. R. Shamasastry (Mysore, 1919).

If our explanation is correct, it follows that the treatise of Kauṭilya involved some degree of overhauling of the science. This interpretation, we think is supported by the internal evidence. For we find the author frequently contesting the views of the early schools and teachers whom he quotes and offering his own solutions of the points at issue—solutions bearing invariably the mark of his superior political insight and practical wisdom.

Thus the Arthaśāstra of Kauṭilya is much more than a summary of the earlier literature on the subject—it involves in the form of a closer analysis of the earlier ideas and notions a virtual reconstruction of the science. Well may Kāmandaka, himself an enthusiastic disciple of Kauṭilya acclaim his master as the maker of a new science*. But much as Kauṭilya stands high above his fellows there is one respect, we think, in which he fails. The most obvious attribute of his genius which stamps itself almost upon every page of his work is its intensely practical nature. The same bent of mind which apparently made the author impatient of the conflicting views of the older Arthaśāstra manifested itself in a studied neglect of abstract speculation. Thus Kauṭilya's work strictly corresponds to the definition of Arthaśāstra—it deals not with the theory of the State but with the Art of Government and kindred topics†.

* Kāmandaka (I 0) applies the term *vedhas* (creator) to Kauṭilya,—a term justified by the commentator on the ground that Kauṭilya created a new science (*prithakśāstrapranayanaḥ*).

† The above view of Kauṭilya's place in relation to the early Arthaśāstra is at variance with two theories that have

The Arthasastra of Kautilya opens with a remarkable rehabilitation of the four traditional branches

been advanced on the point in recent times. The crux of the problem lies in this case in the meaning of the word 'uddhritāni' with reference to its application to the science of Arthasāstra in the concluding verse of Kautilya which has been quoted above. Prof. Jacobi (loc. cit.) explains the term in the sense of 'reformed,' and he describes the purport to be that Kautilya contemptuously brushed aside the dogmatic views of his *doctrinaire* predecessors. This explanation is evidently a forced one, and we agree with Prof. D. R. Bhandarkar (op. cit., p. 109, footnote 1) in rejecting it. Judging indeed from the meagre extracts cited by Kautilya and Kāmandaka, the views of the early teachers of the Arthasāstra may often appear to be crude and one-sided, but they cannot, we think, be justly charged with being impractical.

The second theory bearing on the above point is that of Prof. D. R. Bhandarkar, who explains (op. cit. pp. 108-109) the concluding verse of Kautilya to mean that the Arthasāstra was falling into desuetude in that author's time and was rescued from oblivion by him. We are not quite sure whether this interpretation conveys the true meaning of the author. It fails, we think, to account for the word 'amarṣaṇa' in the text, since it is inconceivable that the mere neglect of the science by his contemporaries roused Kautilya's indignation. It may further be observed that apart from the doubtful testimony of the above verse, Dr. Bhandarkar adduces no evidence in support of his contention. While the case for Kautilya's 'recovery of the Arthasāstra from oblivion' thus seems to rest on very slender foundations, the theory of his partial reconstruction of the science can, it seems to us, be supported on valid grounds. For besides the internal evidence which we have mentioned above, there is the testimony of literary tradition in our favour. An anonymous verse tagged on to the end of Kautilya's work runs as follows: "Observing the discrepancies in many ways among the commentators of the science (śāstra), Viṣṇugupta (Kautilya) himself composed the Aphorism (Sūtra) and its commentary." Whatever might be the degree of weight attaching to this verse, it at any rate points to the confused condition of the Arthasāstra in Kautilya's time and mentions that author's effort to end this confusion. Another point that may be mentioned in this connection is that Kāmandaka who was

of knowledge (vidyās) As we have seen elsewhere the three preceding schools of Manu Brihaspati and Śukra limited the number of these sciences to three two and one, respectively * Kautilya while yielding to none of these in his love of realism, emphatically rejects their views † and he justifies the traditional list of sciences by pointing out the ends and purposes of each in relation to the needs of human existence ‡ Beginning with philosophy (ānvikṣikī) he writes, 'Philosophy viewing the other sciences in the light of reason does good to the world keeps the mind steady in weal and woe, and bestows skill in knowledge speech and action Philosophy is ever declared to be the lamp of all the sciences the means of accomplishing all deeds and the support of all duties' The triple Veda, he goes on is useful (aupakārikah) because it establishes the four classes (varnas) and the four orders (āśramas) in their respective duties the fulfilment of these duties Kautilya adds leads to heaven and

doubtless in a position to know the nature of Kautilya's services describes (I 6) his master as having extracted the nectar of nītiśāstra out of the ocean of Arthashāstra. This remarkable description we think can be justified not on the assumption of Kautilya's rescue of the science from oblivion but only on the basis of his reconstruction of the same upon the old foundations.

* Supra, pp 79-80

† Cf. Kauṭ. p 6: chaturā eva vidyā iti Kautilyah.

‡ Cf. Kāmandaka (III 6) who after quoting the above view of Kautilya as to the number of the sciences, observes that the people depend upon the four sciences for attaining different kinds of results. In this as in other cases Kāmandaka's text may be safely used as a kind of running commentary upon that of Kautilya

salvation, while their violation brings about intermixture of the castes and consequent destruction. Vārttā, in its turn, is useful (aupakārikī) because it confers grain, cattle, gold, base metals and forced labour, and because by its means one is able to bring under his control through the instrumentality of the treasury and the army his own and his enemy's partizans.* Lastly, punishment (danda) which is the subject-matter of Dandanīti, Kauṭilya states, promotes the security and the prosperity of the three other sciences, and in fact is their root †

In the above it will be observed, a place is found for each of the four traditional sciences. Philosophy, instead of being merged, as by the school of Manu, in the triple Veda, is lifted to the position of the foremost science, and declared to be the guide philosopher and friend of men. The triple Veda, instead of being looked upon, as it was by the school of Bṛhaspati, as a superfluity from the point of view of material existence, is observed to embody the essential duties of the castes and the orders. Vārttā, instead of being ruled out from the list of sciences as was done by the school of Śukra, is discovered

* Kāmandaka expresses the idea more emphatically by saying in the corresponding passage (III 14) that vārttā is life

† Kauṭ pp 9-10 In translating the above extract we have adopted the version of Mr. Ramaprasad Chanda (*Indo-Aryan Races*, p 228), which commences with the words ' (Philosophy) viewing the other sciences in the light of reason ' He rightly rejects Dr R Shamaśāstry's translation of the above passage ' (when seen in the light of reason, the science of ānvīkṣakī ' etc) on the ground of its inconsistency with the following verse in which ānvīkṣakī is said to be the lamp of all the sciences

to be the means of ensuring livelihood and supplying the sinews of the State's existence. On the other hand, Dandāniti is held through punishment which is its essence to be the ultimate condition of the functioning of the other sciences *

We are thus able to form some idea of the high function assigned by Kauṣilya to what may be called the science of politics. An equally advanced idea relating to the end of the science is conveyed by the author in two of his concluding verses, where he declares Arthaśāstra to be the means of acquiring and preserving both this and the next world and states that it promotes and secures the threefold end of life (namely virtue, wealth

* Kāmandaka expresses the last idea in the following way: Philosophy, the triple Veda and Vārtā are called the manifest sciences, but if Dandāniti were to be disturbed they would be evil, even if they could exist. (Ibid III 8)

A word may be added here as to the meaning of the term *Ānvikṣiki* which is grammatically more regular than Kauṣilya's *Ānvikṣaki*. Kauṣilya defines the term to consist of Sāṃkhya, Yoga, and Materialism (Lokāyata). Later writers, however, use it in a more restricted sense. Vātsyāyana (commentary on Gautama's Nyāyasūtras (I 1 1) takes *Ānvikṣiki* and *nyāya vidyā* or *nyāyashāstra* to be synonymous terms. Medhātithi and Sarvajñanārāyaṇa commenting on Manusmṛitī VII 43 interpret the expression *Ānvikṣikīm chātmanavidyām* as the science of dialectics which gives self knowledge (cf S. B. E. Vol. XXV Introduction p. xxxvii). Kāmandaka (III 11) renders *Ānvikṣiki* as *ātmanavidyā* which means, according to the commentator, the science of the nature of categories i.e. the science of dialectics. The author of the Śākrānti declares (I 153) *Ānvikṣiki* to involve the science of Logic like the Vedānta and the rest. It has been justly remarked by a recent writer that Kauṣilya's description of the characteristics of *Ānvikṣiki* better suits the *nyāya* philosophy than the Sāṃkhya and the Yoga as we have them (vide Ramaprasad Chanda op. cit., p. 229).

and desire), and destroys what is opposed to these Politics, as thus conceived, is the source of fulfilment of almost the whole life of the individual. We are however bound to state in this place that there are grave doubts as to the degree to which the conception of politics as above described had a practical application in Kauṭilya's system. The passage bearing on this point which has been just quoted is evidently put in at the end to magnify the importance of the science. Further, and above all, the rules of policy laid down by the author are, as we hope to show presently, dominated by the idea that the State is virtually an end in itself.

Kauṭilya's theories relating to the category of the seven elements of sovereignty follow on the whole the lines laid down by his predecessors. Thus he arranges the 'calamities' of these elements in a graded scale, reverting to the order of an unnamed authority whom he quotes. * Kauṭilya, however, applies in one place † the phrase limb-like (*pratyangabhūtāḥ*) to the seven elements indicating, we think, in however rudimentary a form, the conception of organic unity of the factors of government.

The theories of kingship in Kauṭilya occur characteristically enough as an incident in the discussion of concrete problems of statecraft. Thus in the first place, he cites in one passage a discussion of the earlier authors relating to the comparative

* Pp. 322-324. In the same connexion, it may be noted, Kauṭilya (p. 324) contemplates the possibility of the 'calamities' of one or two elements being counteracted by the 'healthy' elements.

† P. 259.

seriousness of the 'calamities' befalling the factors of government (*prakritis*) Rejecting the view of Bhāradvāja, he states in this passage that the king's calamity' is more serious than that of the minister (*amātya*) The king alone, he argues appoints the ministers the domestic priest and the servants he employs the superintendents he applies remedies against troubles as is his conduct, so is that of the other factors of government (*prakritis*) the king stands at the head of these factors (*tatkūṭasthāniyo hi svāmī*) * In this important passage is evidently involved the doctrine of the king's headship of the elements of sovereignty † This view reaches its climax in a later passage of the *Arthaśāstra*, where Kāuṭilya sums up the constituent elements of government (*prakritis*) by declaring that the king is the government (*raja rajyamiti prakritisamkṣepah*) ‡ Government, then, while involving the seven constituent factors is according to this view ultimately resolvable into one element, namely the king that absorbs all the rest

From this view of the king's relations with the other factors of sovereignty let us turn to the broader theory of his relations with his subjects It is characteristic of the intensely practical nature of the author that for the most part one looks in vain for such a theory in his work Nevertheless there is at least one remarkable passage which however much

Kauṭ. p 322

† Other illustrations of this view may be cited Kāuṭilya (p 239) declares that the self-controlled king can make even the imperfect elements of sovereignty whole while the king who is not self-controlled destroys even the progressive and loyal elements of sovereignty

‡ Kauṭ. p 325

it might be pointed to the practical end of ensuring the internal security of the State, embodies a view of the source and nature of the king's authority. Even this, it seems to us, represents what may be called the current theory of the times rather than an original contribution of Kautilya's genius. For it is addressed, as it is hoped to show presently, to the man in the street, as it were.* In the chapter in which the above passage occurs Kautilya describes the measures that the king should adopt for winning over the friendly as well as the hostile factions within his kingdom. In the course of this description he states that a specific class of spies called the satrins should divide themselves into contending parties and carry on disputations in places of pilgrimage, in assemblies, in residences, in corporate bodies and amid congregations of people. One spy should speak, "This kingly class is heard to be endowed with all qualities, but no quality of it is seen which causes the folk in country and town to be burdened with fines and punishments." Another spy should contradict the first and those who concur with the latter by speaking in the following way People overcome by anarchy (*mātsyanyāyābhībūtāh*) selected Manu, the son of the Sun, as their king and they fixed one-sixth of the grain, one-tenth of the merchandise as well as gold, to be the king's due (*bhāga-dheya*) Supported by this, the kings become capable of

* An analogous case is presented by a passage of Kautilya (p 367) where he asks the king engaged in a fair fight to address his troops on the eve of battle with the words, "I am a paid servant like yourselves" This shows in our view that the idea of the king being an official was very much 'in the air' in Kautilya's time.

promoting the security and prosperity of their subjects so that they take away the sins of the latter in the event of their failure to inflict just punishments and levy just taxes. Kings in fact promote the security and prosperity of their subjects. Hence even the hermits living in the forest offer the king one-sixth of the grain gleaned by them stating that it is a tax payable to the person who protects them. The kings who are the visible dispensers of slights and favours occupy the position of the gods Indra and Yama. He who slights them is afflicted with divine punishment. Therefore the kings should not be slighted. Thus the lowly persons should be contradicted * This extract, we think, is an important landmark in the evolution of the Hindu theories of

* Ibid pp 22 23. In the above extract the portion relating to the address of the first spy is translated by Dr. Shamastry as follows — This king is said to be endowed with all desirable qualities; he seems to be a stranger to such tendencies as would lead him to oppress citizens and country people by levying heavy fines and taxes. We hold this version to be hardly satisfactory. Ayam raja, we think, should be interpreted as ayam rājapadavāchyo janah and translated as this class of kings, otherwise the following lines which evidently are of the nature of a contradiction (pratishedhana) would be pointless. We are also of opinion that in the words yah pīdayati yah stands not for ayam this class of kings, but for guṇah quality and that the verb pīdayati is used in a causative sense.

In the latter part of the foregoing extract the term bhāgadhēya is translated by Prof. D. R. Bhandarkar (op cit. p 119) as share. We think that the term as here used is the technical designation of a specific kind of taxes, such as the sixth part of the agricultural produce. Cf. the following quotation from an unknown Arthaśāstra in Kṣīrāyāmin's commentary on the Amarakośa II 8 27: rājagṛhyah śadbhāgādih bhāgah pratyekam sthāvarajagāmādādeyah karah niyojyopajīvyo bālāh

kingship. Kauṭilya here evidently starts with the idea of justifying the king's authority,—the idea, that inspired in part the theories of kingship in the canonical Dhārmāsūtras and the secular Arthasāstra. For the whole point of his story consists in its answering the apparent anomaly involved in the statement of the first spy quoted above, namely that the kingly class is heard to be endowed with all good qualities, but no quality of it is seen which causes the people in country and town to be burdened with fines and punishments. With the above object, then, Kauṭilya invokes the doctrine of the king's divine nature, interpreting it like the earlier writers in the sense that the dignity pertains to the king's office. From this follows, as in the earlier examples, the corollary that the subjects are bound to abstain from slighting the king—an obligation which, as before, is sought to be supported by spiritual sanctions. Along with this familiar notion of the king's divinity is conjoined in the above extract in a kind of incongruous union a remarkable and, as it seems to us, original application of the theory of elective origin of the king. This virtually involves a Brahmanised adaptation of the Buddhist theory of contract. Like the latter it starts with the conception of an original state of nature. While the canonist, however, conceives it to be initially a perfect state, the secular writer considers it to be wholly evil from the first*.

* Mātsyanyāya which is mentioned in the above and in another (Kaut p 9) extract as the technical designation of the evil state of nature preceding the creation of kingship is, we think, as here used, a new importation into the vocabulary of Hindu political thought. Prof D R Bhandarkar (op cit, pp 116, 119) translates it as the proverb (or the practice) of

This anarchical condition forms in Kauṭilya as in the Buddhist theory the immediate prelude to the creation of kingship by popular election. While however this involves in the latter case the formulation of an express contract, in Kauṭilya the contract is tacit and has to be understood from the manner of the king's selection. We may note in passing that the designation of the first king in the Kauṭilyan theory is the surest index of its distinctly Brahminical character since this is held to be no other than Manu the son of the Sun the individual so well known in the Brahminical mythology as the progenitor of the present race of human beings. The last point that has to be mentioned in this connection is that while the Buddhist author is wholly silent about the implications of his theory as fixing the respective rights and duties of the king and his subjects Kauṭilya suffers from no such omissions. Yet Kauṭilya, while committed to the view of justifying the king's authority, brings out with great clearness the principle involved in one of the Dharmasūtra texts,* namely that the king is an official receiving the revenue as his

the greater fish swallowing the smaller—an interpretation that conveys the literal meaning of the term in question. In its figurative sense it refers to the anarchic condition in which Might counts for Right. We quote the following extracts to throw light upon the meaning of the term: *yathā prabālā matasyāḥ nirbalānātān nāsāyanti tatha arājako amuka deśe prabālā janāḥ nirbalān janān nāsāyanti* (nyāyārthah (Raghunāthavarman quoted Col G. A. Jacob *Laukika—nyāyāñjali* Part II pp. 57-58); *atra balavantah durbalān hīnasyuriti māteyanyāya eva syādityuktam* (Kūlluka's commentary on *Manusmṛiti* II 20); *māteyo nyāyāḥ balavātā yadabalagrahanam* (Śaṅkarācārya's commentary on *Kāmanika* V 10).

fee for the service of protection, and he carries the idea to the point that the king is spiritually responsible for the faithful discharge of his functions. It is the necessary condition of this relation consisting in the payment of the stipulated taxes by the people, which Kautilya boldly forges in the above passage into a weapon in support of the king's jurisdiction over his subjects *

* The view of the origin of monarchy embodied in the above extract has been characterised by some scholars (e.g. Dr Shamasastri, English translation of Kautilya's Arthasāstra p 26, footnote, G B Bottazzi, *Precursori di Niccolò Machiavelli in Grecia ed in India, Kautilya ad Thuciddide*, pp 98-99, and Prof D R Bhandarkar, op cit p 119) as a theory of Social Contract. For the reasons mentioned in the text, namely that Kautilya has in view what may be called a governmental contract which again is not expressed but tacit, the above title hardly seems to be apposite. A safer designation probably would be the theory of the human or the elective origin of kingship. This point it is hoped, will be, again considered in connection with our discussion in a later chapter of the alleged resemblances and contrasts between the Hobbesian theory and that of Kautilya. We may consider in this place some other remarks relating to the general nature of Kautilya's theory as above described. According to Bottazzi (loc cit) the whole extract that we have just cited from Kautilya (pp 22-23) embodies a complete theory of Social Contract. The king, he further holds, is here declared to be invested with a sacred character solely by virtue of the authority which the people conferred upon him on the ground of his being the only defence of their existence. On the basis of this interpretation he considers the above passage to be completely free from the influence of the Brahminical theory in which, he thinks, the king is held to be a divine emanation. For the reasons that are stated below, the above judgment does not commend itself to our approval. The belief that Kautilya propounded a peculiar theory of the king's sanctity is, we think, based upon a mere assumption, namely that the whole extract which we are now considering represents a complete theory of kingship. This assumption is hardly likely to correspond with the facts, since Kautilya's

From the meagre record of political theory that has been presented above let us turn to consider what forms in Kauṭilya the essence of his philosophy we mean the branch relating specifically to the art of government. There is little reason to doubt that this is largely based upon the ideas of the older masters of the *Arthaśāstra*, although only such fragments of those ideas have survived as were quoted by Kauṭilya for the purpose of refutation. However that may be we may we think, consider this branch of our subject in its two natural divisions of the acquisition and the preservation of dominion, which

object in the present case is evidently not to lay down a philosophical theory of kingship but, to justify on as broad a basis as possible the king's jurisdiction over his subjects. It would seem to follow from this that the idea of the king's divine nature is more likely to occur in Kauṭilya as an appendage of the theory of the king's origin than as an integral feature thereof. Nor are we left to depend upon mere surmise in support of our criticism. Doctrines essentially similar to that of Kauṭilya, involving in other words the equivalence of the king's functions and attributes to those of the deities are not unknown to the other teachers of the *Arthaśāstra* whose views are quoted in the *Śāntiparvan*. In none of these cases is the king held to be invested with a sacred character by virtue of the popular authority. The authors indeed are completely silent about the theory of the king's elective origin. In these circumstances it seems more reasonable to hold that Kauṭilya adopted the current idea of the king's divine nature than attribute to him an altogether unique interpretation of the same. Regarding the alleged contrast between Kauṭilya's theory and that of the Brahminical canon we agree with the Italian scholar in holding that the king is often conceived by the Brāhmaṇa canonists to be a divine emanation. This idea occurs, for instance in the *Manusmṛiti*, the *Mahābhārata*, the later *Smṛitis* and the *Purāṇas* (Chapters IV V *infra*). Along with this notion however there occurs in these works, as we hope to show later on the notion of Kauṭilya, namely that the king is a god by virtue of his functions

are embodied in the standard definition of *Arthaśāstra*. It is under the second head that most of Kautilya's rules on the subject of home and foreign policy may be ranged. An examination of the most typical of these rules which is all that can be attempted here exhibits, we think, some remarkable traits of the author's nature. Such are the qualities of profound insight into human nature and into the essential character of government, amazing resourcefulness and ingenuity, and intelligent appreciation of the factors making for the advantage of the State combined with a more or less studied disregard of morality and religion. Kautilya begins by urging upon the prince a thorough course of intellectual training and moral discipline, the former involving the study of the four traditional sciences under the guidance of specialised teachers, and the latter centering round the control of the senses which are branded by the author as the six enemies. Kautilya sums up his view on this point by saying that the king should avoid injuring the women and the property of others and should shun falsehood, haughtiness, and evil proclivities. He should enjoy pleasure without disregarding virtue and wealth, or else enjoy this in an equal measure with the last.* In thus making the king's education and self-control the first requisite of successful government, Kautilya or rather the earlier authors whose ideas he is echoing, made, it seems to us, a notable advance in political theory. For the similar, although much shorter, rule in Gautama's

* Kaut pp. 10-12

Dharmaśāstra* is laid down merely as part of the general dāty (dharma) of the king

With all his anxious care to fit the prince by education and discipline for the discharge of his office, Kauṭilya insists that the king should rule with the help of the State officials (amātyas) and consult the ministers (mantrīs). In one of his early chapters he specifies the qualifications of the amātyas—a point that was already discussed by the early masters—and he mentions four tests (namely those of fear virtue wealth and love) by which the fitness of the amātyas is to be detected. Kauṭilya discovers the necessity of the Civil Service in the very nature of government, and he fortifies his conclusion by a homely analogy for he writes 'Sovereignty can be carried on only with assistance. A single wheel does not move hence the king shall employ the ministers and hear their advice'† In the same connexion Kauṭilya analyses the king's function as being of a threefold nature namely the visible the invisible and the inferential, and he declares the amātya's business to consist in carrying out the invisible work.‡ In a later chapter Kauṭilya considers the ways and means of ensuring proper deliberation,—here again he merely continues a discussion started by the early teachers—and he mentions what according to him should be the composition of the council of ministers. It is noticeable in this connection that Kauṭilya exhibits a just appreciation of the function of delibera-

Gaut. XI 2-4.

† Kauṭ. p 13.

‡ Ibid p 15

tion by saying at the outset that all undertakings depend upon it.*

Kautilya urges upon the king as one of his first tasks the necessity of securing to his side, by various methods of diplomacy and force, the friendly and hostile factions within as well as outside his kingdom. In this connection he mentions four classes of people, (namely, the angry, the greedy, the timorous, and the haughty), as being the instruments of the king's enemies, and he states how spies with shaven head or braided hair may win over these classes to the king's side by appealing to that quality which is the leading characteristic of each class.† In another place Kautilya urges the king to protect his own person, especially from his sons and wives.‡ The rules under this head, however tedious they might appear, are justified by the author on the very intelligible ground that the king, by protecting his own person, becomes capable of saving the State from those near him as well as from foreign kings §

In another part of his book bearing the apt title of the suppression of disturbers of the public peace (*kanṭakaśodhānam*), Kautilya enjoins the king to avert eight specific kinds of providential visitations, namely, fire, flood, pestilence, famine, rats, snakes, tigers and demons,—a list which exhibits the author as sharing in the popular superstitions of his time. || One short precept which he lays down in this connection aptly expresses the spirit of this part of his

* Ibid, p 26.

† Ibid, pp 22-26

§ Ibid, p 32

‡ Ibid, pp. 32-45.

|| Ibid, pp 207-210

teaching. The king he says, should always propitiate the afflicted as the father does his son *. In the following chapters Kauṭilya mentions various methods of entrapping by the agency of spies the people of criminal tendencies—methods which, while doing credit to the author's ingenuity betray in some measure his moral obliquity †. Rules of a more unscrupulous nature to which we shall presently return are laid down in the later chapters for the purpose of dealing with those whom Kauṭilya calls the disturbers of the king as well as the kingdom ‡.

It is above all, in his application of foreign policy that Kauṭilya discovers the fullest means for ensuring the interest of the State and finds ample scope for the display of his peculiar genius. The author, it appears has a just appreciation of the advantages of foreign policy for he says in introducing the subject that the traditional sixfold policy is the source of enjoyment (śama) and effort (vyāyāma) which in their turn are the sources of the acquisition (yoga) and security (kṣema)§. In the same connexion he analyses what he considers to be the threefold status of a kingdom namely decline, stationary condition, and progress ¶. Moreover he mentions those factors which in his view determine the relative position of two kings namely their possession in a greater or a less or the same measure of the threefold strength (śakti) and its threefold fruition (siddhi) ¶.

Ibid, p. 210

§ Ibid p. 250

† Ibid pp. 210-217

¶ Ibid p. 200

‡ Ibid pp. 237-242, 245-246

¶ Ibid, p. 261

Running all through the mass of Kautilya's rules of foreign policy may be detected the influence of the notion that expediency is the golden rule of politics. This idea is reflected, for instance, in the short list of fundamental rules with which Kautilya opens his description. He who is losing strength in comparison with another shall make peace: he who is growing strong shall make war. he who thinks that neither can the enemy hurt him nor he the enemy, shall observe neutrality: he who has an excess of advantages shall march. he who is wanting in strength shall seek protection. he who undertakes work requiring assistance shall adopt the dual policy.* In chapter after chapter in the course of the following pages Kautilya indulges in a delicate balancing of the circumstances of two or more States so as to discover the exact policy that should be followed. Politics, as thus treated, rises almost to the level of a fine art. The key to this eminently intellectual character of the Kautilyan statecraft is to be found, we think, in the author's remarkable appraisal of the three traditional powers (śaktis) of the king. Differing from his unnamed predecessor whom he quotes, Kautilya declares the power of deliberation (mantraśakti) to be superior to that of the army and the treasury (prabhuśakti), and the latter to be more important than energy (utsāhaśakti). Regarding the second point Kautilya argues with characteristic contempt for the impotent exhibition of energy, "He who has power overreaches by virtue of his strength the king possessing mere

* Kauṭ. p 263.

energy," and again, 'Rulers possessing power (even those that were) women minors, lame and blind, conquered the earth by defeating or buying up those who had mere energy' As regards the first point, to which reference has been made above, Kautilya exhibits his sense of the supreme excellence of intellect by saying that the king who is intelligent and versed in the sciences can apply his skill in deliberation with little effort and can overreach even those enemies who are endowed with energy and power *

While on the subject of foreign policy Kautilya makes some very sensible remarks regarding the manner in which the evil condition of the subjects renders the king open to attack from outside, and he advises how this should be remedied In the chapter in which he develops this point, he first discusses in a series of pairs the question as to which one of two kings is to be marched against in preference to the other The alternatives that he considers in this connection are *inter alia* an enemy of virtuous character but under grave troubles and one having a vicious character and disaffected subjects but suffering from less trouble, an enemy whose subjects are impoverished and greedy and another whose subjects are oppressed, and lastly an enemy that is powerful but of wicked disposition and one who is weak but righteous After giving his opinion on these cases Kautilya launches into a minute analysis of those faults on the king's part that create impoverishment, greed and disaffection among the subjects When the people become impoverished Kautilya goes on they become greedy when greedy they become disaffected and

when disaffected, they either go over to the enemy's camp or themselves slay their master. Hence the king, Kautilya concludes, should avoid those causes that produce impoverishment, greed and disaffection among his people. Continuing the discussion about the remedies in the following lines, the author considers that the loss of gold and grain on the part of the subjects imperils the whole kingdom and is hard to be remedied, while the loss of efficient men can be made up for by means of gold and grain. The greed of the subjects, Kautilya thinks, can be removed by allowing them to plunder the enemy's wealth. Lastly, disaffection can be got rid of by putting down the leaders, for the people deprived of their leaders are easy to be governed, and are incapable of being seduced by the intrigues of the enemy.*

The end to which the application of all his extensive rules of foreign policy is directed by the author is not, it appears, territorial aggrandisement. In one place Kautilya cautions the king against coveting the territory, wealth, sons and wives of one who is slain, and he urges that the king should restore to their own position the relatives of the slain prince, and instal on the throne the son of one who has died while helping him. Thus, Kautilya argues, would the dependent princes obey even the sons and grandsons of the conqueror. On the other hand, if the conqueror were to slay or bind the dependent prince and covet his territory, property sons and wives, his circle of states (mandala) would become agitated and would rise against him, and even

* Kauṭ. pp. 276-277.

his own ministers 'would either take refuge with the circle of states or themselves threaten their master's life and throne * While Kauṭilya thus deprecates territorial annexations in the most express terms 'it appears from the general tenour of his thought that his ideal is, next to security the achievement of political influence over the neighbouring kings comprised in the circle of states †

Although the rules for the preservation of dominion form in Kauṭilya's work the most important branch of his philosophy he mentions in one short section ‡ his ideas relating to the acquisition of territory. The territory Kauṭilya thinks may be either newly acquired or recovered from a usurper or lastly inherited from an ancestor. It is most important to note that in all these cases the author urges kind and considerate treatment of the subjects. The king who acquires new territory we are told should put to the shade the enemy's vices by means of his own virtues and the latter's virtues by doubling his own. He should bestow rewards according to his promise upon those who deserted the enemy's side for his own. For says Kauṭilya with true insight into human nature he who fails to fulfil his promise forfeits the confidence of his own and his enemy's people. The king should follow the friends and leaders of the people, for as Kauṭilya urges in a later passage, he who acts against the will of the people becomes unreliable. The king moreover is asked to favour learned men and orators as well as the charitable and the brave, to release all prisoners and to relieve

Kauṭ. p. 313 † Cf. Ibid. p. 262 : *nomimokānta*
radrājāṇāḥ etc ‡ Ch. XIII 6

the miserable, the helpless and the diseased. In the same spirit Kautilya advises that the king who recovers a lost territory should give up those faults of his which caused him to lose the throne and increase those virtues through which he regained it. Of the king who inherits a kingdom Kautilya likewise says that he should put to the shade his father's vices and display his own virtues.

Next to the considerate treatment of the subjects Kautilya urges in the first case respect for the established customs. The king who acquires a new territory, the author declares, should adopt the same mode of living, the same dress, and the same language and manners as those of his subjects, and should participate in their congregational festivals and amusements. Not that all customs are to be enforced, for the king is asked to abolish those customs which he considers to be injurious to the revenue and the army, or holds to be unrighteous. Along with these wise and beneficent counsels Kautilya exhibits in the first case an example of that intellectual cunning which is so characteristic of him. A member of the enemy's family who can wrest the conquered territory, Kautilya says, should be provided with a sterile tract or else with a fourth part of a fertile tract on condition of his supplying a fixed sum of money and a fixed number of troops. In raising these he would incur the displeasure of the people and be destroyed by them *

When we turn from the above survey of the Kautilyan statecraft to consider a point involved

* Kauṭ. p.409

therein, namely the author's attitude towards religion and morality we find him following as might be expected in the footsteps of the early masters. We find him in other words, frequently inculcating rules of a grossly unscrupulous nature on the plea of public interest and without the least pretence of moral disapproval. Thus Politics, distinguished as it is in the system of the Arthaśāstra as a separate science is as before, further separated from the science of Ethics. Let us quote a few typical examples from Kauṭilya in support of our statement. Speaking of the conduct of a prince who is kept under restraint, Kauṭilya suggests among a number of harmless measures that the prince having acquired a close intimacy with heretics rich widows or merchants engaged in ocean traffic may poison them and rob them of their wealth *. Speaking in the same connection with reference to the treatment of a prince kept under restraint, Kauṭilya coolly suggests in one place that secret emissaries may kill the abandoned prince with weapons or with poison. In another part of his book dealing with the suppression of disturbers of the public peace, Kauṭilya states that spies in disguise may mix with thievish foresters, and instigate them to attack companies of merchants and villagers and may contrive the assassination of those people with weapons or with poison †. In a later chapter where the author describes the measures ensuring what he calls the extirpation of disturbers of the king as well as the kingdom he says that the king may for the sake of

* Kauṭ. p. 30. I follow the version of R. Shamasastry which however is not free from difficulties.

† Ibid p. 214.

righteousness inflict secret punishment upon those wicked persons (dûsyas), consisting of the royal favourites singly or collectively injuring the kingdom, who cannot be put down openly.* This form of punishment comprises, as the immediately following samples show, various methods of compassing the assassination of the culprit by the direct agency of spies as well as by the seduction of the culprits' brothers, sons and wives.† In another place where he speaks of corporate bodies (sanghas) Kauṭilya, while conceding that the well-disposed among these should be treated with conciliation and gifts, advises without even the pretence of an apology that the methods of dissension and secret punishment should be applied against those that are ill-disposed, and he proceeds to enumerate various concrete measures suggested to this effect by his remarkably fertile and resourceful intellect. Among these measures assassination in different forms plays an important part.‡ In the following section Kauṭilya declares that a weak king, when he is attacked by a powerful enemy, should avert the invasion either by making an alliance, or by means of the battle of intrigue (mantrayuddha) or treacherous fight (kūṭayuddha).

* Kauṭ p. 237. In our translation of the above we have used the parallel passage of Kāmandaka (IX 9) which may, we think, be safely utilised to throw light on the difficult text of Kauṭilya.

† Ibid pp. 237-241. Some further rules of the same type are mentioned by Kauṭilya in another place (pp 245-246) as being applicable to the wicked persons (dûsyas). Kauṭilya concludes this portion of his subject with the warning that the king should adopt the above line of policy towards the wicked and sinful persons, and none else.

‡ Ibid, pp. 378-381.

These last comprise, as we learn from the numerous examples given immediately afterwards, sundry methods of sowing dissensions and of secret assassination * Finally we may mention a long and curious list of drugs and tricks of black magic said to ensure in various ways the destruction of the enemy and the immunity of the king's own troops, which is compiled by the author in the penultimate chapter of his work.† In introducing these rules Kautilya justifies them on the plea of welfare of the four castes and confines their application to the sinful persons alone ‡

Thus Kautilya would seem to betray in his rules of policy a more or less complete indifference towards morality His attitude towards religion is more complex. As we have seen in another place Kautilya deliberately dissociates himself from those radical schools that eliminated the Vedas from the list of sciences § In the same connection he urges the king not to upset the canonical scheme of duties relating to the castes and the orders, on the ground that the performance of these leads to heaven and salvation while their violation would result in intermixture and destruction of the people. And yet it would seem as if Kautilya, in framing his actual system of statecraft could not resist the temptation of turning religion into an instrument of State policy In the list of spies mentioned by Kautilya, for instance, no less than three out of nine specified classes belong

* Kauṭ. p. 382 ff

† Ibid. ch. XIV

‡ Ibid. p. 410

§ Ibid. p. 122

to pseudo-religious orders, no doubt because the cloak of religion was held best to ensure the success of espionage.* This tendency of the author to indulge in the political exploitation of religion is more clearly exhibited in his section on the replenishment of the treasury.† There Kautilya suggests among a number of other measures that the Superintendent of religious institutions (*devatādhyakṣa*) may set up at night a shrine of the gods or a place sacred to the pious ascetics, and earn his subsistence by holding processions and congregations. Or else, Kautilya goes on, he may proclaim the arrival of the gods by pointing to a tree in the temple garden, that has borne untimely fruits and flowers. These suggestions are followed by other rules to the same effect, but we need not concern ourselves with them.‡ As another illustration of the author's attitude towards religion it may be mentioned that he advises the would-be conqueror to afflict the enemy and hearten his friends by proclaiming, through various methods of religious deception which he specifies, the conqueror's association with the gods.§

It would seem from the above that morality

* Kauṭ pp 18-20 The three kinds of spies alluded to in the text are the religious mendicant renouncing his order (*udāsthita*), the ascetic (*tāpasa*) and the mendicant woman (*bhikṣukī*) It may be noted in this connection that Kautilya (p 19) urges the ascetic spy deliberately to delude the people into a belief in his own extreme asceticism and gift of prophecy.

† Ibid V 2

‡

§ Ibid p 244 The translation of this part is incomplete because of the exceptional difficulty of the text

§ Ibid pp. 394-395

and to a less extent religion had no place in Kauṭilya's politics. Nevertheless there are some passages in the *Arthaśāstra* which exhibit the author as deliberately parting company with the extreme exposure, among his predecessors, of an immoral statecraft. Even in these cases however, we feel that the author is impressed not with the inherent worth of morality but with the belief that honesty is the best policy. Thus in his chapter relating to the safeguarding of the princes he indignantly and emphatically rejects two extreme views which he quotes. The first is that of Vātavyādhi who advised that the princes might be lured to sensual indulgence, for in that case they would never hate their father. This' Kauṭilya retorts is death in life. Like a piece of wood eaten by worms, the royal family in which the princes are lacking in discipline perishes as soon as it is touched'. With this rebuke he proceeds to mention what steps according to him, the king should take for ensuring the prince's safe birth and training in discipline. The second view criticised by Kauṭilya is that of the Ambhīyas who advised that while one spy should tempt the prince another should restrain him. Kauṭilya solemnly replies in language indicating a true insight into the principles of child training " (It is) a great sin to excite an unawakened (mind) for a fresh object sucks whatever class of things it is smeared with " and he goes on to recommend that the prince should be instructed in virtue and wealth, not in their opposites *. In another passage rejecting a charac-

teristic suggestion of Bhāradvāja, namely that the minister (amātya) should usurp the vacant throne on the death of his master, Kautilya argues that this would be an act causing provocation to the people, as well as very unrighteous and uncertain. Hence he recommends that the minister should set up a prince who is possessed of self-control.* In a third passage Kautilya, rejecting the opinion of one of his unnamed predecessors, declares that a peace or alliance depending merely upon promise or upon oath is immutable in this world and in the next.†

Somewhat apart from the other rules of statecraft and deserving to be studied by itself is Kautilya's short discussion relating to the rule of punishment (danda). In this case, we think, the author introduces, in place of the one-sided view of the earlier period, a more balanced judgment based upon a true insight into the possible consequences of different forms of punishment. In the passage bearing on this point Kautilya, rejecting the suggestion that the king should be ever ready to strike, says, "He who inflicts severe punishment becomes oppressive to all creatures. he who inflicts mild punishment is overpowered. he who inflicts just punishment is respected." Tracing this dictum to its ultimate cause, Kautilya states, "For, punishment when directed with consideration unites the people with virtue, wealth and desire, but when it is misapplied under the influence of greed and anger through ignorance, it irritates even the hermits and the ascetics, not to speak of the

* Kauṭ. p. 256.

† Ibid p. 313

householders * While thus distinguishing between the different shades of punishment, Kauṭilya agrees with the older teachers on the fundamental point relating to the conception of punishment as the guarantee of social order. For he writes, in the lines immediately following those we have quoted "When indeed (punishment is) not applied (at all), it produces (the state of anarchy known as) the mātsyanyāya for in the absence of one who wields the sceptre the strong man devours the weak, (but the weak man) being protected by the king prevails (over the strong) " †

Turning to another aspect of the Kauṭilyan art of government, it has to be observed that the outstanding feature of the author's thought is his preference for the monarchic State. Nevertheless there is at least one passage in which he treats parenthetically the conditions of clan republics (kulas) and predicates of them the twofold merit of invincibility and permanence. There after mentioning the dangers threatening the king from the royal princes and the measures to be adopted against these Kauṭilya says "Sovereignty may likewise belong to a clan for a republic consisting of clans [as the political unit] (kulasaṅgha) is hard to conquer, and being free from the danger of anarchy enjoys a permanent existence on earth " ‡ This tribute coming as it does from the 'arch-apostle of the monarchic cult that Kauṭilya is shows him not to be a blind advocate of monarchical rule

If now in the light of the above survey, we consider the fashionable comparison between Kautilya and Machiavelli,[†] we think our answer must indicate some remarkable coincidences as well as contrasts. While Machiavelli occupies as the "first modern political philosopher" a unique position in European history,[†] Kautilya was preceded in Ancient India by a long line of teachers of the Arthaśāstra whose works he claims to have summarised in his own. The work of Kautilya embracing within its fold the branches of civil law and military science as well as that of public administration, had evidently a wider scope than the treatises of Machiavelli who confines his attention to the art of government alone. Within the limits common to both thinkers, however, the Italian covers a wider field, for he studies the conditions of republics as well as monarchies, while Kautilya's gaze is fixed on the problems of the monarchic State alone. On the other hand the empirical method of Machiavelli, supported as it is by frequent references to the history of classical antiquity, has some resemblance to the empiricism of Kautilya which is fortified by occasional references to the Indian traditional history. Turning from the scope and method to the subject-matter, we may perhaps draw a parallel between the heads of the

* Of the significant title of G. B. Bottazzi's work, *Pre-cursori di Niccolò Machiavelli in India ad in Grecia, Kautilya ad Thucydide*. Bottazzi indeed directly styles Kautilya "il Machiavelli dell' India" (Ibid p. 21)

† Cf. Dunning, *A History of Political Theories, Ancient and Mediaeval*, p. 324.

discussion followed by Machiavelli in his "*Prince*," and those involved in Kauṭilya's definition of the Arthaśāstra and implicitly adopted by him in his work. This comparison however serves to emphasize the essential difference between the ideas of the two masters. To Machiavelli politics is informed with the ideal of territorial aggrandisement while Kauṭilya's goal as we have said in another place is next to the security of the State its achievement of political influence over the circle of States. Finally, as regards the attitude of these authors towards religion and morality it appears at first sight that Kauṭilya rivals and even surpasses Machiavelli in his sacrifice of these principles to the end of public welfare. Nevertheless it has to be remembered that Kauṭilya reserves his immoral statecraft in general for extreme cases and he advocates as in his rules relating to the acquisition of territory the kind and even benign treatment of the subjects. Kauṭilya's politics we cannot help thinking, is based upon a deeper knowledge of human nature than that of his European counterpart.

Let us try in conclusion to form an estimate of Kauṭilya's influence in moulding the subsequent development of political theory. We have already endeavoured to show what in our view was the true nature of Kauṭilya's achievement, namely that he carried into effect a virtual reconstruction of the science of Arthaśāstra. Keeping this point in our mind we may perhaps trace Kauṭilya's influence in three principal directions. In his own field he became the founder of a tradition of statecraft which earned for its author some amount of appro

brum at a later period,* but was nevertheless adopted by enthusiastic disciples like Kāmandakā and the Jaina Somadevasūri. In the second place Kautilya by retouching a number of categories and concepts discussed by his predecessors, gave them such a stamp of finality that his conclusions were accepted without a demur in the later canonical as well as Nītiśāstra literatures.† Finally, we are of opinion, although we are here treading on a slippery ground, that Kautilya's remarkable reconstruction of the Arthaśāstra may have prepared the way for, if not stimulated, that wholesale incorporation of the Arthaśāstra material into the system of the Brahminical canon, which, it seems to us, is the dominant note of the rājadharmā sections of the Manusmṛiti and the Mahābhārata.

* The reference is to the oft-quoted attack of Bāṇa who says in his Kādambarī (Peterson's edition, Vol 1, p 109) "Is there anything that is righteous to those for whom the science of Kauṭilya, merciless in its precepts, rich in cruelty, is an authority, whose teachers are priests habitually hard-hearted with practice of witchcraft, to whom ministers always inclined to deceive others are councillors, whose desire is always for the goddess of wealth that has been cast away by thousands of kings, who are devoted to the application of destructive sciences, and to whom, brothers affectionate with natural cordial love, are fit victims to be murdered?" (Shamasastri's translation, English translation of Kauṭilya's Arthaśāstra, Introduction, p ix) The Jaina Nandisūtras (quoted Ibid p xxii) include the Kauṭilya in the list of false sciences.

† Examples of this nature are Kautilya's list of the four sciences (p 6), his rule of punishment (p 9), his inclusion of the four sciences in the curriculum of the king's studies (p 10), his arrangement of the elements of sovereignty in the order of their descending importance (pp 322-324), and his comparative estimate of the king's vices (vyasanas) in which anger is held to be a more serious evil than love of pleasure (p 327)

Note on the Chāṇakya-sūtras —While on the subject of Kauṭilya's Arthaśāstra we may properly consider a short collection of aphorisms which is attributed to Chāṇakya (Kauṭilya) although it appears on examination to bear little or no resemblance to the first-named work. The Chāṇakya-sūtras as this collection is called, deals with general morality (dharma) in which is comprised the branch of public policy. The only important contribution that the author makes to political theory is we think, concerned with his idea of kingship. He lays down to begin with the doctrine of the king's divinity for he says (sūtra 372) that the king is the chief god. With this may be connected his inculcation in repeated passages of the duties of the subjects with reference to their ruler. The subjects are not to act against the king's interests (sūtra 60) not to slight him even if he were devoid of strength (Ibid 87) not even to look at him (Ibid 380) not to speak evil of him (Ibid 445) not to disregard his orders (Ibid 532) and they are to carry out what he commands (Ibid 533). While thus justifying the principle of monarchical authority the author insists with Kauṭilya upon the qualities of self-control humility and association with the aged as being essential requisites of the king's successful government. The root of happiness he says at the beginning of his work, is righteousness that of righteousness is wealth that of wealth is the kingdom (or sovereignty) that of the kingdom is the control of the senses that of the control of the senses is humility and that of humility is the honouring of aged persons. Elsewhere (sūtra 11) the author stresses the importance of discipline on the king's part by saying. It is better not to have a king than have one who is wanting in discipline.

CHAPTER IV.

THE MAHĀBHĀRATA AND THE MANUSAMHITĀ AND THE SYNTHESIS OF THE ARTHAŚĀSTRA AND THE DHARMASŪTRA MATERIAL (CIRCA 200 B.C.—200 A.D.)—THE CHATUḤŚATIKĀ OF ĀRYA- DEVA (CIRCA 200 A.D.).

I

The 'rajadharma' sections of the Mahābhārata and the Manusamhitā involve the grafting of the Arthaśāstra stock upon a canonical stem—The blending of the king's public and his domestic functions—The approximation of the concepts of rājadharma and daṇḍanīti—The end of these sciences—The conception of organic unity of the factors of government—The king's fulfilment of the essential needs of the people—The theories of the divine creation of the king—The doctrine of the king's divine nature—The theories of submission and obedience of the subjects—The king's reciprocal duty of protection and its relation to the collection of taxes—The king's divinely ordained duty of protecting his subjects—Protection is the sole justification of the king's office—The right of tyrannicide—The joint authority of the Brāhmaṇa and the Kṣatriya and the mutual relations of these powers—The rules of statecraft in the Mahābhārata and the Manusamhitā—The attitude of the authors towards religion and morality—The conditions of success in republican communities (gaṇas)

II

The Chatuḥśatikā represents in part an independent tradition of political thinking—The king is the servant of the body politic—Politics is completely subservient to morality.

I

In the two preceding chapters we have endeavoured to describe as completely as the surviving materials at our disposal would permit, the exuberant growth of political ideas in the literature of Arthaśāstra. We have seen how the teachers of this science not only explored the region of practical politics which was their special province, but also made important and original contributions to the theory of the State. In the two canonical works of this period, especially in their sections and chapters relating to the branch of kingly duties (rājadharmā)* an attempt seems to have been made to graft a more, or less considerable Arthaśāstra stock upon a slender canonical stem derived from the Dharmasūtras †. To the stimulus derived from contact with the predominant Arthaśāstra element it is we think, mainly owing that the Manusamhitā and still more the Mahābhārata make, as we hope to show presently some of the most important contributions to political theory.

These are chap. VII of the Manusamhitā and the first two parts (especially chaps. LVI—CLXXIII) of the twelfth book (called the Śāntiparvan) of the Mahābhārata. The latter chapters besides being greater in bulk and more comprehensive than the former are distinguished by their dramatic character inasmuch as they take the form of a series of addresses delivered to king Yudhiṣṭhira by the dying Kṣātrīya hero Bhīṣma, the doyen of the royal house of Kuru.

† In this connection it should be especially noticed that the Mahābhārata in the course of its introductory chapters twice (I 2 383; Ibid 62 23) announces itself to be *inter alia* an Arthaśāstra work.

The above characteristic of the works that we are now considering, involving, that is, a synthesis of ideas is, we think, closely connected with the circumstances of their origin and their essential nature. The Manusamhitā, while based upon a lost Dharmasūtra work of the school of Manu, is distinguished from the latter by the fact that it is the product not of a Vedic school, but of one of the special law schools which took over at an early period the complete teaching of the Sacred Law*. Hence it is able to develop in fuller detail those rules of civil law and public administration to which the authors of the Dharmasūtras had given the most perfunctory attention. The Mahābhārata, again, is unconnected with any school, and while belonging in form to the literature of heroic history (Itihāsa), it claimed and obtained early recognition as a work on the Sacred Law (Smṛiti or Dharmasāstra) such as the Manusamhitā was†.

* Cf. Bühler, S. B. E. Vol XXV, Introduction, pp li—lvi.

† For the evidence, vide Bühler and Kirste, *Indian Studies*, Vol 2 pp 4-27 (especially pp 24-26) With regard to the Sāntiparvan with which we are specially concerned it may be added that Bhīṣma's discourse on 'rājadharmā' is introduced in such a fashion as to suggest that it was meant by the author to embody the standard list of the king's duties. Consider for example the historical setting of the scene in which Bhīṣma, stretched upon his bed of arrows, is made to utter these discourses as his parting message to the assembled princes headed by Yudhiṣṭhira. Consider again how Bhīṣma is singled out in the immediately preceding chapters by the sages Vyāsa (Sāntiparvan XXXVII 1-16) and Nārada (Ibid LIV 7-10) and above all by the lord Kṛṣṇa (Ibid LIV 34-35) as the fittest person to communicate this message on the ground of his unrivalled knowledge of the whole circle of

We have noticed above, as the leading characteristic of the canonical works of this period in so far as

human duties. Add to these points the fact that Kṛiṣṇa Him self (Ibid LIV 29-31) inspired the hero with His own divine wisdom (divyā matih) to qualify him for his task and blessed his speech beforehand by prophesying that it would last on the face of the earth as though it were a Vedic discourse (Vedapravāda)

Prof D R. Bhandarkar while rightly emphasising the debt of the rājadharmā section of the Mahābhārata to the early authors of the Arthashastra, has, we think, ignored the real character of this section as involving a synthesis of Arthashastra and Dharmaśūtra thought. This omission, it appears to us has prevented him from indicating the true relation of the rājadharmā section to the older Arthashastra works. He writes (op cit. pp 110-111) To the same period (viz. 600-325 B C) seem to belong the chapters from the Mahābhārata, especially from the Śāntiparvan which deal with rājadharmānūśāsa; and it is not at all improbable that this section represents in the main the work of the pre Kauṭilyan political philosopher Kauṇapadanta as this is but another name for Bhīṣma. The account of polity which they contain seems to have been drawn principally from the systems of Brihaspati Uśanas and Manu. Now this pronouncement is we think, open to exception on the following grounds:—(1) Dr Bhandarkar's date for the rājadharmā section of the Mahābhārata apparently rests upon his view of the priority of the Śāntiparvan to Kauṭilya's Arthashastra—a view which as we have shown elsewhere (supra pp 72 73 footnote) not only runs counter to the general trend of authoritative opinion on the point, but is unsupported by valid evidence. Furthermore it is directly contradicted by a historical allusion occurring in one of the chapters of the above section. In chapter LXV (13 15) Māndhātā is quoted as asking the god Indra How should all these folk living in kingdoms the Yavanas the Kirātas the Gāndhāras the Chīnas the Śavaras the Barbaras the Sakas the Tūṣaras the Kapkas the Pahlavas, the Andhras the Madrakas the Puṇḍras the Pulindas the Ramaṭhas the Kāmbojas the castes which sprang from the Brāhmanas and the Kṣatriyas the Vaiśyas and the Śūdras live? The same passage occurs in the South Indian recension (Ch. LXIV 13 15) with

our point of view is concerned, their blending of materials derived from the Arthaśāstra and the Dharmasūtras. One important consequence of this connection with the earlier canon is, we think, that the authors present then extensive rules of

some minor changes. The mention of the Sakas and the Pahlavas in both the above lists precludes the possibility of an interpolation in later times and it shows the second century B. C. to be the upper limit of the composition of the Śāntiparvan. This date, it may be added here, has been arrived at independently by the best authorities (cf. D. W. Hopkins, *The Great Epic of India* pp. 397-398). (2) The rājadharmā section of the Śāntiparvan, although professing to embody the teaching of Bhīṣma, reveals no especial connection with the views, few and fragmentary as they are, that are attributed to Kaunapadanta by Kauṭilya. In the parallel example of the Manusmṛitā, Manu often flatly contradicts the view of the school of Arthaśāstra called by that name. Thus while the latter (Kauṭ. p. 6) declares the sciences to be three in number, the former (VII 13) includes all the four traditional sciences in the curriculum of the king's studies. Again, while the Mānavas (Kauṭ. p. 29) make the mantripariṣat consist of twelve members, Manu (VII 51) gives the number of councillors (sachivas) as seven or eight. A more general basis of difference between the two sets of works that we are now considering is that while the Arthaśāstra authors known to Kauṭilya are distinguished by their controversial spirit, the canonical authors of this period are principally concerned in their rājadharmā sections to lay down the approved rules of kingly conduct. These discrepancies can, we think, be satisfactorily explained on our hypothesis of the synthesis of the Arthaśāstra and early canonical ideas in the later works. (3) Much as the rājadharmā sections of the Śāntiparvan are indebted to the Arthaśāstra, it is not difficult to detect in them some instances of original contribution to political theory. Such, for example, are the theories of the origin of monarchy which, as we hope to show later on, are so advanced in character in comparison with the earlier ideas on the subject that they may be safely assigned on the ground of internal evidence alone to the present period.

public administration in the setting of the Whole Duty of the King. Thus Manu has no hesitation in mentioning in the course of his chapter on kingly duties that the king should worship the learned Brāhmaṇas, should marry a queen of equal caste and should appoint a domestic priest as well as other officiating priests for the performance of sacrifices*. Similarly Bhīṣma in chapter LVI of the Śāntiparvan opens his address by observing that the king's foremost duty is to behave towards the gods and the Brāhmaṇas according to the prescribed rule, for he explains it is by worshipping these that the king repays his debt to virtue and is respected by his subjects†. The same mingling of functions is observable in the frequent and characteristic summaries of kingly duties that occur in these works. Manu, for example, says in one place 'Not to turn back in battle, to protect the people, to honour the Brāhmaṇas is the best means for a king to secure happiness‡.

Besides involving the fusion of the king's public and his domestic functions the synthesis of the secular and canonical material in the works we are

* VII 37; Ibid 77 Ibid 78-79

† Śāntiparvan LVI 2 13

‡ VII 88 S B E Vol XXV p 230. It may be noticed here that the commentators of the Smṛiti works while treating the concept of rājadharmā introduce a twofold distinction which we think, virtually corresponds to the difference between the king's public and his domestic functions. For they conceive the rājadharmā to be of two kinds namely those bearing visible fruit (dṛiṣṭārtha) and those producing invisible fruit (adṛiṣṭārtha). The former are illustrated by the sixfold policy and the latter by the Agnihotra sacrifice. Cf. Medhātithi's commentary on Manusmṛiti VII 1.

now considering tended, we think, to bring about a close approximation of the concepts of *rājadharmā* and *dandanīti*, which, as we have seen in another place, were at first associated respectively with the literature of the *Dharmasūtras* and of the *Arthaśāstra*. *Rājadharmā*, to begin with, as conceived by the canonical authors of this period consists, in an overwhelming measure, of the rules of internal administration and external policy. Thus its scope is virtually co-extensive with that of *dandanīti*, involving in either case the conception of an Art of Government. Furthermore it appears that the canonical writers magnified the antiquity and sanctity of *dandanīti* with the result that the concept of this science was brought into line with that of *rājadharmā*. Manu, for example, applies to it* the epithet eternal (*śāśvatī*) which is usually applied to the holy Vedas alone, while Bhīṣma in chapter LIX of the *Śānti-parvan* declares it to have been created by the god *Brahmā* along with the institution of kingship by *Viṣṇu*.†

What, then, in the opinion of these thinkers, is the end of the Art of Government, as we may render more or less roughly the concepts of *rājadharmā* and *dandanīti*. It is, we think, a striking illustration of the importance of the intrusive *Arthaśāstra* element in their thought that the authors take over and amplify the necessarily one-sided estimate of the science furnished

* VII 43.

† It may be here remarked that Bhīṣma, while describing the merits of *rājadharmā*, implies in one passage (LXIII 28) *dandanīti* and *rājadharmā* to be synonymous terms.

by the secular teachers. As we have seen in another place, Kauṭilya conceives the Arthaśāstra to fulfil the threefold end of human existence *. Now Bhīṣma in chapter LIX of the Śāntiparvan sums up his elaborate description of Brahmā's original work on daṇḍanīti by saying that it treated the four ends of life, namely virtue, wealth, desire and salvation †. In another place speaking on the great benefit accruing from daṇḍanīti Bhīṣma says that this science when properly applied by the king directs the four classes towards righteousness and weans them from unrighteousness. When the four classes observe their respective duties Bhīṣma goes on, and the established usage is not violated, when security springs from daṇḍanīti and the people are free from fear the three (sic) classes seek their welfare according to the prescribed rule, and thence ensues the happiness of the people. Continuing his argument the hero states in language of bold hyperbole, that the four ages of the world arise according as the king exercises daṇḍanīti in a full or more or less partial measure or finally abandons it altogether. Daṇḍanīti he says in conclusion fixes the limits of duties and is the established usage that has for its end the welfare of the people when properly applied it is as it were the mother and the father ‡.

In the above extracts it will be noticed the canonical author develops however unconsciously the idea expressed by Kauṭilya with reference to the

Supra, pp. 130-131

† Śāntiparvan LIX 70

‡ Ibid LXIX 76-103

end of the Arthaśāstra. The view of the author of the Śāntiparvan relating to the nature of rājadharmā is similarly connected with that of an earlier teacher, Indra who held, as we have seen in another place, that the Kṣatriya's duty was the foremost of all.* Its keynote is struck in the very first question addressed by Yudhiṣṭhira to Bhīṣma. Rājadharmā, says the king in introducing his question, is declared by those versed in the sacred law to be the foremost of all duties : it is the refuge of the whole world : virtue, wealth and desire, nay, salvation itself depend upon it : like the rein unto the steed and the goad to the elephant is the rājadharmā unto the people. If the king were to err with respect to that duty which is followed by the royal sages, the stability of the world would cease and everything would be thrown into confusion. Rājadharmā does away with the evil condition which fails to secure heaven, just as the rise of the sun dispels darkness † This point is treated in fuller detail in some later chapters where Bhīṣma, after describing the duties of the four castes and the four orders, winds up with a comparative estimate of the merits of rājadharmā and other duties. All the duties of the three classes, he says, together with their minor duties, are settled out of the king's duties by the Kṣatriyas who follow the highest duty among man. All duties are swallowed up in those of the king, just as the foot-prints of all

* Supra p 82.

† Śāntiparvan LVI 2-7. In verse 5 of the above we adopt the reading 'narendradharmo lokasya' of the South Indian recension instead of 'narendro dharmalokasya' (Calcutta edition)

other creatures sink in those of the elephant. The other duties are the refuge of the few and bear little fruit, while the duty of the Kṣatriyas is the refuge of many people and produces many blessings. If daṇḍanīti were to perish, the triple Veda would disappear and all duties would decline. If the primeval rājadharmā of the Kṣatriyas were to be given up, all duties of the orders would come to an end*. The address is continued in the same strain through the two following chapters but these do not add anything to the force of the argument. The panegyric reaches, we think, its climax in some earlier verses of the same address. There Bhīṣma says that all duties have rājadharmā at their head and all kinds of renunciation are comprised therein. Further he states that every enjoyment, all religious ceremonies, all learning and all worlds are included in rājadharmā†. The gist of the above passages may perhaps be expressed by saying that rājadharmā comprehends all other classes of duties and is the mainspring as well as guarant^y thereof‡.

The authors of the Śāntiparvan and the Manusmṛitā characteristically take over from the Arthashastra the category of the seven elements of sovereign

* Śāntiparvan LXIII 24-27

† Ibid LXIII 27-30. In verse 29 we read bhogāḥ of the South Indian recension instead of tyāgāḥ of the Calcutta edition.

‡ That this does not represent the considered view of the author appears among other things from the fact that the rājadharmā and the āpaddharmā sections of the Śāntiparvan lead up to the disquisition on mokṣadharmā which Yudhiṣṭhira introduces by saying (CLXXIV 1) that it is the foremost of the duties pertaining to the orders.

ty.* This of course involves the exclusion, as before, of the 'purohita' or the royal chaplain.† In this connection it ought to be particularly noticed that Manu develops an idea that is at best latent in the system of the Arthaśāstra, for while arranging the 'calamities' of the 'limbs' in an order of descending importance, he immediately qualifies its effect by saying, "Yet in a kingdom containing seven constituent parts, which is upheld like the triple staff (of an ascetic), there is no (single part) more important (than the others), by reason of the importance of the qualities of each for the others. For each part is particularly qualified for (the accomplishment of) certain objects, (and thus) each is declared to be the most important for that particular purpose

* Vide Manusamhitā IX 201, Śāntiparvan LXIX 61-66 Cf. Yājñavalkya I 353 Some slight verbal changes are observable in these works in the designation of the component factors of sovereignty. For Kauṭilya's 'durga,' fort, Manu and the author of the Śāntiparvan (loc. cit.) substitute 'pura,' city,—a change which very doubtless suggested by the antithesis between 'pura' and 'janapada' Furthermore, Manu (loc. cit.) has 'rāṣṭra' instead of 'janapada', while Yājñavalkya (loc. cit.) uses the term 'jana,' people

† This personage, however, was too important to be ignored for long in the standard list of the seven 'elements.' In the Nīṭisāra of Kāmandaka (VII 31) the purohita's good qualities are described under the heading of the excellent qualities of the minister (sachiva) Viṣṇūśeṣvara (commentary on Yājñavalkya I 353) similarly includes the 'purohita' along with the 'mantrin' in the list of amātyas Nilakanṭha goes a step further and finds (commentary on Śāntiparvan LXXIX 1) a place for the 'purohita' as well as the sacrificial priest (ritvij) in the category of svāmin by making the latter consist of these two persons along with the king.

which is effected by its means"* This important extract exhibits we think, for the first time, the application of two principles in relation to the category of *seven limbs* These principles would be called if we were to borrow Western equivalents those of integration and differentiation It follows from the above that Manu presents a completer conception of the organic unity of government than had occurred to his predecessors

The theories of kingship in the canonical works with which we are here concerned involve we think, the amplification in a greater or less measure of the principles jointly bequeathed by the early Arthaśāstra teachers and the authors of the canonical Dharmasūtras The author of the Mahābhārata, to begin with reproduces obviously for the purpose of justifying the royal authority the earlier conception of the essential importance of the king's office In chapter LXVII Bhīṣma, replying to one of Yudhiṣṭhira's questions declares that the chiefest duty of the subjects consists in the consecration of the king A kingless State he explains is overcome by robbers there virtue does not become settled and the people devour one another In a kingless State Bhīṣma goes on fire does not convey libations to the gods even the wicked do not prosper the two rob the one and many others rob the two he that is not a slave is made a slave the women are forcibly abducted If the king says Bhīṣma in concluding this part of his argument did not exist in this world as a wielder of punishment, the stronger would

devour the weaker in the fashion of fishes living in the water*. The gist of the above passages may perhaps be expressed by saying that the happiness and indeed the existence of the people depend upon the king's office. In the following chapter Bhīṣma reproduces what purports to be the address of the sage Brihaspati to Yaśumānas wherein, as we have seen in another place, both the evils attending the king's non-existence and the blessings following from his presence are described with great force.]

* Sāntiparvan, LXVII. 2, 3, 5, 11-15, 16

† Supra, pp 96-91. A similar conception of the extraordinary importance of the king's office occurs in chapter LXVII of the Rāmāyana. There we are told how after the exile of prince Rāma and the death of king Daśaratha the Brāhmanas and the ministers approached Vasiṣṭha, the family priest of the royal house of Ayodhyā. "The great king," said they, "is gone to heaven, Rāma again has betaken himself to the forest, the valiant Lakṣmana also has accompanied Rāma. Both Bharata and Saṅgrihna have gone away to the city of Rājagriha in the Kāṁkva kingdom to live in the delightful abode of their maternal uncle. Appoint a king over the Ikṣvākus this very day, for this kingdom of ours would perish in the absence of a king." This prayer is supported by a passionate plea on behalf of monarchy. In a kingless State, it is said, the clouds do not sprinkle the earth with rain; the seeds are not sown; the son does not obey his father nor the wife her husband; there exists neither wealth nor family, truth does not prevail. There the Brāhmana does not perform sacrifices, festivities and social gatherings do not take place; the girls decked with golden ornaments do not stroll to the gardens in the evening; the rich cultivators and herdsmen do not sleep with the doors of their houses unbarred; the merchants accustomed to wander long distances with rich wares do not travel with security; even the ascetic who is always in the habit of meditating on the Infinite Soul, does not stay, and the soldiers are powerless to defeat a foe. Such a kingdom is like a river without water, a forest without grass, and a herd of cattle without the herdsman. In such a kingdom nobody is one's own and the people constantly

Turning to the doctrine of divine nature of the king we have to observe that this is presented by our authors principally in connection with the remarkable and as it seems to us original theories of the creation of monarchy. These views, we are inclined to think, were formulated in the works we are now considering with the deliberate object of countering the tendencies inherent in the older theory of the king's origin. The Buddhist theory of contract, as we have observed in another place tended to strengthen a notion already familiar to Hindu political theory namely that the king was an official paid by his subjects for the service of protection.* Such a notion could not but be repugnant to those schools and teachers who upheld as well in the canonical Dharmasūtras as in the secular Arthashastra, the king's office as the guarantee of individual and social existence. Kauṭilya, as we have seen was satisfied with a modified version of the Buddhist theory which he twisted to justify the king's authority and backed up with the doctrine of the king's divine nature. But his attempt was obviously a bold makeshift and nothing more. It was therefore neces

devour one another in the fashion of fishes. Even those atheistical persons that are guilty of violating the established usage and have been punished by the king give up fear and try to assert themselves. The king is the Truth, he is Virtue, he is the pedigree of the high born, he is as it were the mother and the father; he surpasses by his excellent conduct the god Yama, Kubera, Indra and Varuna. If the king did not establish the distinction between good and bad deeds this universe alas! would be like darkness and no sound knowledge could exist.

sary that new theories of the king's origin should be propounded, involving a higher basis for the king's office than the mere agreement of the people. Of such a nature, in our view, are the theories of the *Mahābhārata* and the *Manusamhitā* which, while based upon the ground-work of an antecedent state of nature, uniformly express, as we hope to show presently, the idea of the king's creation by Divine will.*

It will appear from the above that the theories of the origin of kingship as conceived by the authors with whom we are now dealing, were anti-popular in their origin, their object being, in other words, to support as against the anarchical tendencies of the theory of contract the principle of the king's authority. Let us consider these theories in some detail. The *Mānusamhitā* describes the origin of kingship in the briefest outline. "For when these creatures being without a king dispersed in all directions, the Lord created a king for the protection of this whole (creation), taking (for that purpose) eternal particles of Indra, of the Wind, of Yama, of the Sun, of Fire, of Varuṇa, of the Moon, and of the Lord of Wealth (Kubera)."[†] This passage, it will be observed, begins with a reference to an original evil state of nature. But the author, instead of considering this like the

* The doctrines of divine creation of the king mentioned above appear to have found their ultimate support in the Brahminical theory relating to the creation of the world by a Supreme Being, just as the Buddhist theory of contract apparently found its resting-place in the conception of a natural world-order (*dharma* or *niyama*) independent of the Divine Will.

† VII, 3-4, S. B. E Vol XXV p. 216.

earlier writers as the prelude to a contract between the people and a human or a semi divine being, introduces the Highest God as Himself creating the king out of His own will. The king then, according to this view is so far from being an official paid by the people for the service of protection, ordained by God to rule over his subjects His rule in short rests not upon agreement but upon Divine ordination. The further bearing of the above passage upon the doctrine of the king's divinity will be more conveniently treated in another place.

The Mahābhārata has two distinct theories of the origin of kingship which are of a more elaborate and complex nature than the theory of the Manusmṛiti. For these theories traverse at length the whole process of social evolution from its beginnings in the original state of nature and involve the blending of the two ideas of divine creation and coronation oath or popular agreement. It will be convenient to begin with the shorter of the two stories which is told by Bhīṣma in the course of his address, already referred to relating to the chiefest duty of the subjects. There he mentions after describing what he conceives to be the evil consequences of the king's non-existence. It was for this reason that the gods created the king. This idea of divine creation is developed by the speaker in greater detail in the following lines. People having no king in early times we are told met with destruction devouring one another as the larger fishes devour the smaller. They then assembled together and made compacts (samayāh) mutually undertaking to expel from their

midst persons guilty of abuse, assault, and connexion with other men's wives as well as those who would break the compact. Thus they lived by the terms of the compact for the purpose of inspiring confidence among all classes without distinction. Afterwards they collectively (*sahitāh*) approached the God *Brahmā*, being afflicted with sorrow. "Without a chief, O Lord," they said, "we are perishing. Give us a chief whom we shall worship in concert and who will protect us." The God appointed *Manu* to rule over them, but he would not at first accept them. "I fear," said he, "the sinful consequences of acts. Government, again, is a very difficult task, especially among men who are always deceitful in their conduct." The people, however, overcame his scruples by saying, "Don't fear. The sins will only devolve upon those who perform (the sinful acts). For the increase of your treasury we shall give you one-fiftieth of our animals and gold as well as one-tenth of grain. Of the spiritual merit that the people, well protected by the king, will acquire, the fourth part will belong to you." Thus coaxed, *Manu* made a tour round the world, striking terror into the hearts of all, and making them conform to their duties.*

The story of the origin of kingship that we have just described connects itself historically with the

* *Sāntiparvan* LXVII 17-32 '*Kartṛineno gamiṣyatī*' 'the sins will devolve upon the authors (of the sinful acts)' is the reading in the Calcutta edition. This is preferable to the reading '*vidhāsyāmo dhanam tava*' of the South Indian recension, since the object of the people's address is clearly to quiet *Manu*'s apprehension of sinful contamination.

individual figuring in Kauṭilya's version of the king's creation. The other story to which we have now to turn our attention is associated with the person who was remembered in Vedic tradition as the first consecrated ruler of men*. In chapter LIX of the Śāntiparvan Yudhiṣṭhira is introduced as asking Bhīṣma two distinct questions which are substantially as follows. How did the title of king (rājan) come into existence and why does one man rule over persons of great intelligence and valour although he has the same physical organs and mental attributes is subject to the same changes of birth and death and is equal in all respects to the others? The answer to these questions involves a complete account of the creation of the king's office and of the basis of his rule over his subjects. For the moment we are concerned with the former point alone. There was at first, says the hero, neither sovereignty nor sovereign, neither punishment nor punisher (naiva rājyam na rājāsanna cha dāṇḍo na dāṇḍikaḥ). At that time the people used to govern themselves by means of Justice or Righteousness (dharma). Afterwards however they became completely worn out and were assailed successively by the vices of intoxication, greed, wrath and self-indulgence. The world was disturbed, and the Vedas as well as Justice perished. The gods were affrighted, and they sought the protection of the Lord Brahmā. The great God created for their sake and for the good of the world a gigantic treatise consisting

* Cf. Satapatha Brāhmaṇa V 3.5.1: Prithu son of Vena was consecrated first of men. S. B. E. Vol. XL p. 81

of one hundred thousand chapters, which treated the fourfold end of life—virtue, wealth, desire and salvation. This was called Dandanīti and became the archetype out of which successive summaries were prepared by the gods Śiva and Indra and the sages Brīhaspati and Śukra. Thereafter the gods approached Viṣṇu and implored Him to select a person deserving to occupy the highest place (śraiṣṭhyam) among mortals. The great God created by a fiat of his will a son produced out of his own lustre. This person however did not desire sovereignty, and he treated his authority as a trust (nyāsa). His fourth successor became skilled in policy and protected the people, while the next gained an empire, and became self-indulgent. Then came Vena who was killed by the angry sages for his tyranny. Out of his right arm, pierced by the great sages, came forth Prithu, handsome, fully armed, skilled in the Vedas and in the science of archery. He was enjoined by the gods and the great sages to follow the established laws (dharma) without fear or favour, and with strict control of his passions. The gods and the sages, moreover, proposed to him an oath (pratijñā) which he accepted in the following terms, “I will constantly protect the earth in thought, word and deed, as if it were Brahman. I will carry out the established laws in accordance with dandanīti. I will never act arbitrarily. The twice-born classes shall never be punished by me and the world shall be saved from the danger of inter-mixture of classes.” Prithu was consecrated by the Brāhmanas and the sages as well as by the gods including Viṣṇu

Himself 'He was called king (rājan) because all his subjects were gratified (rañjitāh) by him, and he earned the title of Kṣatriya as he healed the wounds of the Brāhmaṇas. The eternal God Viṣṇu in person established his status by declaring that no one would transcend him. The divine Viṣṇu, moreover, entered the person of the king, and hence the whole universe worships the kings as if they are gods *.

Such are the two stories of the origin of kingship that are set forth in the Mahābhārata. The mythological atmosphere is patent in either case as also the curious blending of ideas and notions of an incongruous nature. Nevertheless the above extracts it is hardly too much to say, mark the culmination of the Hindu theories of the king's origin. Let us analyse the leading ideas in these passages. In both it will be observed the starting point is an original State of Nature which is so vividly described in the words of the latter extract, 'naiva rājyam na-rājāsinna cha dāṇḍo na dāṇḍikah.' While however, this involves in the first case, from the very start a dreadful condition of anarchy it is presented in the second case as a preliminary condition of peace and righteousness followed by a period of growing degeneracy and accumulating evil. The first theory introduces immediately at the close of the anarchical state of nature a stage which we think has no parallel in Hindu political theory except in the passages of the

Śāntiparvan LIX 5 130. Mr K. P. Jayswal (*Calcutta Weekly Voice* Vol. XVI p. xx corrected and amplified *Modern Review* Calcutta, Vol. XI p. 193) was the first to discover in the above passage the two successive stages of the evolution of kingship as conceived by the canonical author, as well as the formula of the coronation-oath.

Buddhist canon that have been quoted in another place.* This stage involves the formation by popular agreement of society without a political superior, in this approaching closely, to borrow the language of Western political philosophy, to the notion of a social contract as distinguished from a governmental pact. Passing to the immediately following stage it should be noticed that both the extracts attribute the king's creation,—and herein lies the essential difference of the Mahābhārata story from the older theories of the Buddhist canon and of the Arthaśāstra,—to the will of the Supreme Deity. For while in the first story Manu is ordained by the god Brahmā to rule over the people, in the second Viṣṇu creates a mind-begotten son for the same purpose. Here the story might well have ended, but the author goes on to supplement this by importing notions having little or no affinity to that of divine creation. In the first case it is declared that the people made what may be called a one-sided contract with the king-designate, by which they relieved him from the responsibility for their own sins, while charging themselves to pay the royal dues. The king, then, it would seem, rules his subjects by the right of divine creation, which is reinforced by the voluntary agreement of the subjects. In the second case, Prithu who is the first true king and is the seventh lineal descendant of Viṣṇu's nominee has to accept an oath of observance of the established laws and institutions, and at the same time he is mentioned to have been not only ordained by Viṣṇu but animated by the God's essence.

* Supra, pp. 117-119.

From this it would appear to follow that the king, according to the author, while ruling by virtue of divine creation is subject to the terms of his coronation oath

In examining the theories of the king's origin as above described we have found involved in them the notion of the king's divine nature. This point deserves to be treated in some detail. The teachers of the Arthasāstra including even Kauṭilya imputed, as we have seen in another place, a kind of divinity to the king by metaphorically assimilating his functions to those of various specified deities. This view is not unknown to the authors whom we are now considering. Manu for example, enjoins the king in one place to imitate the energetic action of eight specific deities, and he seizes the occasion to show how the king's acts resemble severally the functions of those deities*. Similarly Bhīṣma in chapter LXVIII of the Śāntiparvan, asked as to why the king is called a god, quotes the long address of the sage Brihaspati in which, as we have observed before, the king is said to assume the forms of five deities according to the varying nature of his functions†. Yet the most characteristic pronouncement of the canonical authors of this period on the present point, and that which in their system bears directly upon the question of the mutual relations of the king and his subjects is centred in the doctrine of the king's divine personality—a doctrine which we can not help thinking was deliberately introduced by these authors with the object of strengthening

* IT 303-311

† Supra p. 95

the principle of authority. In Mānu's theory of the king's origin, it will be observed, the king is stated to have been created out of the particles of eight guardians of the world. The consequence of this act in investing the king with superhuman majesty is described in the immediately following lines. "Because a king has been formed of particles of those lords of the gods, he therefore surpasses all created beings in lustre; and, like the sun, he burns eyes and hearts; nor can anybody on earth even gaze on him. Through his (supernatural) power he is Fire and Wind, he Sun and Moon, he the Lord of justice (Yama), he Kubera, he Varuna, he great Indra."* While Manu conceives the king to be formed out of eight guardians of the world, the author of the Śāntiparvan declares him, by way of justifying his authority, to have absorbed the essence of the god Viṣṇu,—a view which recalls the idea conveyed in a text of the Śatapatha Brāhmaṇa.† In the passage bearing on this point, Bhīṣma, after answering Yudhiṣṭhira's first question regarding the origin of kingship, proceeds, as it seems to us, to answer the second query of the king, namely why the people submit to one man who is their equal in all respects. The Lord Viṣṇu, he says, entered the person of king Prithu, and hence the world bows down to one man as to a god. What reason is there, he asks, for the people's submission to one man except his divine quality

* VII 5-7, S. B. E Vol XXV p 217 With the last verse cf. Ibid V 96 where the king is held to be an incarnation of the same list of eight deities.

† V 1. 5. 14. cf. *supra*, pp. 32-33

(*daivādrite gunāt*)? A god he continues, whose stock of spiritual merit is exhausted comes down upon earth from heaven, and is born as a king versed in the science of polity and as a man endowed with Viṣṇu's majesty. As he is established by the gods no one transcends him and everybody submits to him. This capacity of ruling the earth does not accrue to him by his own merit. Meritorious acts lead to meritorious results, and hence mankind obeys the voice of one man who is equal to it*. In this case it will be observed the author categorically denies the king's authority to arise from his intrinsic qualities. He derives it on the contrary from the king's divine origin and nature, on the hypothesis of the king's creation by the god Viṣṇu and his incorporation of the god's essence†.

We have thus far endeavoured to show how the older ideas relating to the essential importance of the king's office and his divine nature were developed by the canonical writers of this period. As in the

* Śāntiparvan LIX 128 131 133 136

† We may consider in the present place certain current estimates of the Hindu doctrine of the king's divinity. Prof. Pramatha Nath Banerjee (op. cit. p. 71 and foot-note) holds on the authority of certain texts of the Śukranīti (I 80-34; Ibid 87) that in ancient India only a righteous king was regarded as divine and the king was not a *devatā* but a *nara-devatā*." Prof. D. R. Bhandarkar (op. cit. p. 130) virtually endorses the former statement and quotes one of Dr. Banerjee's texts (Śukra I 70) to prove that according to the Hindu theory "a king is a *naradeva* only so long as he is virtuous and he ceases to be so the moment he goes to the bad." Now however important Śukra's qualification of the older doctrine of the king's divinity might be it is difficult to understand the grounds on which his view is held to represent as above the Hindu theory on the point in question. For Śukra's theory so far as we

earlier case, these theories led as a logical corollary to the formulation of the doctrines of submission and obedience of the subjects. "Even an infant king," says Manu in one place, "must not be despised (from an idea) that he is a (mere) mortal; for he is a great deity in human form. Fire burns one man only, if he carelessly approaches it; the fire of a king's (anger) consumes the (whole) family, together with its cattle and its hoard of property." Again, he says, "The (man), who in his exceeding folly hates him, will doubtlessly perish; for the king quickly makes up his mind to destroy such (a man). Let no (man), therefore, transgress that law which the king decrees with respect to his favourites, nor (his orders) which inflict pain on those in disfavour." * Like Manu the author of the Sāntiparvan inculcates the submission of the subjects to their ruler. In chapter LXVII where Bhīṣma develops his view making the consecration of the king the 'chiefest' duty of the subjects, he says that the person who desires his own welfare should honour the king as he honours the god Indra. Again, he states that the people should respectfully salute the king as the disciples salute their preceptor, and they should wait upon him as the gods wait upon Indra, for he who is honoured by his own subjects is feared even

are aware, is peculiar to him and is not shared by the other Hindu authors. As for the contention that the king was not a 'devatā' but a 'nara-devatā', it is pointedly disproved by one of the concluding verses of chapter LIX of the Sāntiparvan which categorically states that the kings and the gods ever since Prithu's time have been declared by the sages to be equal (*tato jagati rājendra satatam śabdītam budhaiḥ devā-ścha naradevāścha tulyā itī viśūmpate*)

* VII 8; 13, S. B. E. Vol XXV pp. 217-218.

by his enemies while he who is not so honoured is overwhelmed by them if the king is overwhelmed all his subjects feel unhappy *

We have mentioned above those ideas of the canonical authors of this period which, it appears were meant by them to justify the king's authority over his subjects. Let us next consider what if any counteracting principles derived more or less from the same source were drawn by these authors into their common synthesis. We find that however much these writers stressed the duty of the subjects they insisted, as before upon the king's observance of the reciprocal duty of protection †. In some passages the duty

* Śāntiparvan LXVII 4,84-86

† Cf. Śāntiparvan LVIII 1-4 where protection is declared to be the cream of the king's duties and is held to be particularly approved by seven specified teachers who are the authors of treatises on the science of polity. In the *Manu-samhitā* as well as the *Śāntiparvan* protection is frequently inculcated in the earlier fashion by means of moral and spiritual sanctions. Thus *Manu* in one place while urging the king to punish thieves compares (VIII 303) the king's protection of his subjects to the performance of a sacrifice and he writes (VIII 300) "A king who protects the created beings in accordance with the sacred law and smites those worthy of corporal punishment daily offers (as it were) sacrifices at which hundreds of thousands (are given as) fees. On the other hand *Manu* (VII 111-112) threatens the oppressive king with the loss of life, family and kingdom. In the *Śāntiparvan* (LXXI 20-20) *Bṛhama* after declaring the king's protection of the subjects to be his highest duty observes "In a thousand years the king expiates the sin which he commits in one day by his failure to protect his subjects from fear. For ten thousand years the king enjoys in heaven the fruit of the merit which he acquires in a single day by just protection of his subjects. In other passages the canonical authors inculcate protection by making the king participate in the spiritual merits as well as demerits of his subjects. Thus *Manu*

of protection is brought into relation, as before, with the king's collection of taxes so as to imply that the former follows as a corollary from the latter.* Furthermore the theory of divine creation in the *Manuśamhitā* while leading, as we have observed in another place, to the doctrine of submission and obedience of the subjects, suggests in its actual context that the king is liable to the divinely ordained

observes (VIII 301) in the context from which we have just quoted, "A king who (duly) protects (his subjects) receives from each and all the sixth part of their spiritual merit, if he does not protect them, the sixth part of their demerit also (will fall on him)" *Yājñavalkya* (I 333) similarly states that the king who justly protects his subjects obtains one-sixth of their merits, since the gift of protection is greater than all other gifts. In chapter LXXV 5-10 of the *Sāntiparvan* Bhīṣma, asked as to how the king may attain blissful regions, says that the king enjoys a fourth part of the spiritual merit earned by his well-protected subjects. On the other hand the king is liable to one-fourth or one-half or even the whole of whatever evil befalls the kingdom. From this the author draws the practical conclusion that the king who fails to recover wealth stolen by thieves should return its equivalent out of his own treasury.

* Cf. *Manu* (VII 111), "The highest duty of a Kṣatriya is to protect his subjects, for the king who enjoys the rewards just mentioned (viz the taxes specified, *Ibid* 130-132, 137-139) is bound to (discharge that) duty", *Ibid* IX 251 "The realm of that king who takes his share in kind though he does not punish thieves (will be) disturbed and he (will lose heaven"; *Ibid* VIII 307-308 "A king who does not afford protection, (yet) takes his share in kind, his taxes tolls and duties, daily presents and fines, will (after death) soon sink into hell. They declare that a king who affords no protection, (yet) receives the sixth part of the produce, takes upon himself all the foulness of his whole people", *Sāntiparvan* CXLII 31 "An impotent Kṣatriya is the king who unjustly exacts his dues without fulfilling his duty of protection and he is unskilled in the expedients of policy", *Ibid* CXXXIX 100, "(The king) should spend his taxes after collecting one-sixth (of the produce as) the same he who does not properly protect his subjects is a thief among kings (*pārthivataskarah*)" Similarly

duty of protection * Finally it should be remarked that Bhīṣma in one passage, while answering the question relating to the condition of a state *in extremis* pointedly declares protection to be the sole justification of the king's existence—a view which obviously serves as a powerful counterpoise to the canonical doctrine relating to the duty of the subjects †

Allied to the conception of protection as being the supreme duty of the king is the view mentioned in chapter LXIX of the Śāntiparvan which relates to the king's observance of the science of polity (*daṇḍanīti*) in the fullest measure In the extract

Yājñavalkya (I 3 3 5) says that the king takes half of whatever sins are committed by the unprotected subjects since he levies taxes In this connexion we may mention Śāntiparvan LXI 10 where certain taxes levied by the king are called his wages (*vatana*)—a view involving the idea that the king is an official

* Cf. Manu VII 2 (a verse which immediately precedes the author's account of the king's creation): A Kṣatriya who has received according to the rule the sacrament prescribed by the Veda must duly protect this whole (world) S. B. E. Vol. XXV p. 910

† The reference is to Chapter LXXVIII (33-14) of the Śāntiparvan There Bhīṣma replying to a question of Yudhiṣṭhira declares that the person who becomes a raft on a raftless stream or a means of conveyance where there is no other means should be honoured no matter whether he is a Śūdra or a man of any other caste For as the speaker pointedly asks what is the use of a bull incapable of bearing burdens a cow that gives no milk, a wife who is barren and a king who fails to afford protection? In picturesque language he declares that a Brāhmin who does not study the Vedas and a king who fails to protect his subjects are like a wooden elephant a leathern deer a eunuch or a barren field He who constantly protects the good concludes Bhīṣma, and restrains the wicked should alone be made a king; this whole world is sustained by such a man

bearing on this point. Bhīṣma undertakes to teach his royal interlocutor what he conceives to be the great benefit accruing from dandanīti to the king as well as the subjects. In the course of this address he states that the king is the cause of time and not *vice versa*. When the king acts wholly according to dandanīti, there arises the Golden Age. When he observes three-quarters of the science, the Silver (Treta) Age comes into existence. The Brazen (Dvāpara) Age arises when the king gives up half of dandanīti and follows the remaining half. Lastly the Iron (Kali) Age emerges when the king gives up the whole of dandanīti, and oppresses his people by means of evil expedients (ayogena). In the concluding lines of the above chapter Bhīṣma repeats that the king is the creator of the four ages, and he observes that the king enjoys a great reward in case of his producing the Golden Age, little reward when he produces the Silver Age and the proper reward for producing the Brazen Age, while for causing the Iron Age he incurs great sin and lives for ever in hell.* The above extract, besides stressing the king's obligation in respect of observance of the science of polity, presents, we think, some additional points of interest. We have, in this case, presented to us in a special sense, an idea known to another teacher who is quoted in chapters XC—XCI of the Śānti-parvan, the idea namely that the king is the creator of the Age-cycle. As in the latter example, it is

* Śāntiparvan IXIX 79-101 In verse 89 of the above extract we have adopted the reading 'nītyardham' of the South Indian recension in place of 'nityartham' of the Calcutta edition.

here used not to advance the king's authority but to impress him with a sense of his responsibility*. Another idea involved in the foregoing extract is that the varying nature of the king's rule produces corresponding variations in the social and moral and even physical conditions of the age—a view which is paralleled by that of the sage Utathya as known to us from the quotation in chapter XC of the Śāntiparvan.

We may mention in the next place, an extract which although occurring in a separate book of the Mahābhārata is most relevant to the subject of our present enquiry in as much as it inculcates as far as we are aware for the second time in the order of historical sequence, the right of tyrannicide†. In chapter LXI of the Anuśāsanaparvan Bhīṣma speaking on the Law of charity (dānadharma) observes: The king who tells his people that he is their protector but does not actually protect them should be slain by his combined subjects like a mad dog afflicted with the rabies, ‡

The same idea relating to the king's connection with the Age-cycle appears in the Manusmṛiti IX 301 302, where it is used to inculcate the duty of active exertion on the part of the king.

† For the earlier passage vide p. 101 supra.

‡ Anuśāsanaparvan LXI 32 33. Prof. Benoy Kumar Sarkar (*Political Science Quarterly* March 1918 p. 199) considers we think without sufficient reason two verses in the Manusmṛiti (VII 111 112) to involve an unequivocal enunciation of the doctrine of resistance i.e. of the rights of the people against the king. In our opinion these merely convey a solemn warning to the oppressive king and may at the most be construed into an inculcation of the duty of protection. Cf. p. 184 footnote supra.

Let us next consider the views of the canonical authors of this period with regard to the Brāhmana's position in relation to the king and the people. Here, again, it would seem that the writers absorbed the ideas of the Arthaśāstra and the Dharmasūtras in a common synthesis. Thus Bhīṣma, to begin with, says in one place, "By honouring the Brāhmanas and the Kṣattriyas, the people attain happiness; by disregarding these they assuredly perish; Brāhmanas and Kṣattriyas are said to be the root of all castes." * This passage obviously inculcates the old canonical doctrine relating to the joint authority of the Brāhmana and the Kṣattriya over all the rest. As between these powers Manu teaches in one place the doctrine of their interdependence. He writes, "Kṣattriyas prosper not without Brāhmanas, Brāhmanas prosper not without Kṣattriyas; Brahmanas and Kṣattriyas, being closely united, prosper in this (world) and in the next." † Yet the whole burden of the context in which the above passage occurs is the idea of the Brāhmana's immense potency and sanctity. "Let him (viz. the king) not," says Manu, "though fallen into the deepest distress, provoke Brāhmanas to anger; for they, when angered, could instantly destroy him together with his army and his vehicles" ‡ This is followed by other verses to the same effect; but it is unnecessary to quote them here. In another place Manu declares, "The Brāhmana is declared (to be) the creator (of the world),

* Sāntiparvan LXXIII 4-5.

† IX 322, S B E Vol XXV, p 399

‡ Ibid 313, S B E Vol XXV, pp. 397-398.

the punisher the teacher (and hence) a benefactor (of all created beings) to him let no man say any thing unpropitious nor use any harsh words' * These sentiments find expression in relation to our subject in the view already inculcated in the earlier canon namely that the Brāhmaṇa is the one primary power of which the Kṣatriya is the derivative. Thus the Manusamhitā and the Śāntiparvan have two verses in common stating that the Kṣātrīyas sprang from the Brāhmanas who are therefore entitled to restrain the latter † With this may be connected the statement uttered by Bhīṣma in another place, namely that the security and welfare of the kingdom depend upon the king while those of the king depend upon the 'purohita'. ‡

However important may be the part played by the theories of the State in the rājadharmā sections and chapters of the works with which we are here concerned there is we think, little doubt that the bulk of these sections consists of rules relating specifically to the art of government. These rules involve, as we hope to show presently, the absorption of a mass of Arthasūtra material into the system of the Brahminical canon. Both Manu and the author of the Śāntiparvan for example make the king's training and self-discipline the first requisite of successful government. Manu starts his description of the duties of the

* VI 3. 8 B E Vol. XXV p. 130 Cf. supra.

† Manu IX 370-371 = Śāntiparvan LXXVIII 21 22.

‡ Śāntiparvan LXXIV 1

king and the royal officers by saying that the king should worship learned Brāhmanas, should cultivate modesty, should learn the four traditional sciences and should conquer the senses. The last involves the suppression of eighteen vices (vyasanas) which Manu declares to be worse than death.* The reason for the exercise of this self-command is indicated in another place where it is declared that the person who has conquered his own senses is alone able to keep his subjects under control† Similarly in chapter LXIX (3-4) of the Śāntiparvan, Bhīṣma while instructing Yudhiṣṭhira about the primary duty of the king or of one doing duty in his stead, states that the king should first conquer his own self and afterwards his enemies, for, he asks, how can the king who has not achieved self-conquest conquer his enemies? Again, in chapter LXXI‡ Bhīṣma, asked as to how the king who protects his subjects may not be afflicted with anxiety and may not commit breach of righteousness, says that the king should give up covetousness and anger. For the foolish king who performs his task under the influence of anger and desire cannot secure either virtue or wealth

Like Kautilya the canonical authors of this period urge the king's appointment of ministers and other officers whose qualifications and employment they describe in some detail § They lay down, moreover,

* VII 37-53.

† Ibid 44

‡ Verses 1, 6-7.

§ Manusamhitā VII 54-68, Śāntiparvan LXXX, LXXXIII.

rules after Kautilya's fashion for the king's consultation with his ministers * In this connection it should be noticed as a further illustration of the connection between Arthasāstra and canonical thought that Manu discovers the *rationale* of a civil service in the very nature of government,† while Bhīṣma declares sovereignty to have espionage for its root and deliberation for its essence

Turning to the rules of public policy we may mention that Manu enjoins the king to protect his kingdom and destroy its opponents by employing the striking analogy of the weeder who plucks up the weeds and preserves the corn‡ In an earlier verse he recommends the king to adopt the traditional list of four expedients, namely conciliation dissension bribery and force § Among these it should be observed Manu prefers conciliation and force to the rest, while he justifies the employment of the latter expedient only in the last resort.¶

In connection with this point, it may be noticed as a characteristic feature of the canonical statecraft its frequent inculcation of a mixed or a middle course of conduct upon the king Manu for example urges the king in one place to be both sharp and gentle on the ground that one who behaves in this fashion

Manusamhitā VII 147 156

† Ibid VII 53: Even an undertaking easy (in itself) is (sometimes) hard to be accomplished by a single man; how much (harder is it for a king) especially (if he has) no assistant (to govern) a kingdom which yields great revenues?
S. B. E. Vol XXV p 221

‡ VII 110

§ Ibid 107

¶ Ibid 108 109

is highly respected.* This precept is taught with greater effect in the Śāntiparvan. In chapter LVI Bhīṣma speaking on the duties of the king urges the observance of the qualities of truthfulness, righteousness, straightforwardness and the like,† but in the same breath he mentions certain exceptions to the general rule by pointing to the essential needs of statecraft. The mild king, we are told, is constantly disregarded by all men, while he who is strict becomes oppressive to the people; hence the king should be both mild and strict ‡ In a later passage Bhīṣma forbids Yudhiṣṭhira to be merciful towards all creatures and, after quoting a text from Brihaspati, concludes that the king should neither be constantly merciful nor constantly severe, but should be like the vernal sun which causes neither cold nor perspiration § Again in chapter LXXV Bhīṣma, after saying that the king who is self-seeking, cruel and very greedy, can not rule his subjects, is constrained to state in reply to a question of Yudhiṣṭhira that sovereignty can not be exercised by one who is wholly merciful In a later verse Bhīṣma attempts to justify his teaching by saying that no righteous man, be he householder or king or student, ever scrutinized the nature of righteousness with particular care || This implies, as we learn from the commentator, that a slight breach of morality is unavoidable. In another place the teacher, asked

* VII 140

† Śāntiparvan LVI 17-20

‡ Ibid 21

§ Ibid 37-40

|| Śāntiparvan LXXV 14, 18; 28

as to the qualifications of the ministers (sachivas) confesses 'that the kings desiring success have to adopt both righteous and unrighteous paths and he proceeds to advise that the king should trust as well as distrust some people *

Coming to the domain of foreign policy properly so called we find the canonical authors making in the style of the Arthashastra expediency the grand canon of statecraft. In chapter CXXXVIII of the Śāntiparvan Yudhiṣṭhira asks how the king should behave when he is swallowed up by many foes. How he continues can the king acquire friends and foes and how should he behave towards them? Bhīṣma replies by expounding what he calls the esoteric duty that is applicable in times of distress. The foe he says becomes a friend and the friend becomes disaffected owing to the regard for self interest. The course of affairs is constantly shifting hence the king should repose confidence as well as wage war. In a later passage Bhīṣma drives his lesson home by indulging in an apparent paradox. The unwise man he says who does not constantly ally himself with the foe fails to attain his desires or even slight rewards while he who with an eye to his own interest makes an alliance with the foe and war with the friend wins great success †

Ibid LXXX 5 : 1. In other cases the author abandons this balanced attitude and commits himself straightway to a more extreme position. Thus in chapter LXXXV 33-34 Bhīṣma urges the king to make others trust him but not himself trust any one. Reposing of trust even in one's sons he continues is not approved and he concludes by observing that want of trust is the highest mystery among kings.

† Śāntiparvan CXXXVIII 4 7 12 14 16 17. The same spirit is reflected in Manu's rules of foreign policy VII 160 160

While laying down their rules of public policy, the canonical authors show themselves ready enough to justify the king's sacrifice of personal and domestic ties for the purpose of ensuring the good of the State. The person who acts contrary to the interests of the kingdom consisting of seven limbs, says Bhīṣma in one place, must certainly be slain, no matter whether he is a preceptor or a friend * Yet it is noticeable that as in Kautilya the goal towards which the system of statecraft is directed is not territorial aggrandisement. Manu, for example, requires that the king after winning a victory should place a relative of the vanquished ruler on the throne after fully ascertaining the wishes of the conquered people.†

Another branch of statecraft that is treated in these works and forms, as before, a distinct group by itself, is concerned with the rule of punishment (danda). Here, as in other cases, the canonical authors would seem to clothe in a poetical and romantic garb the ideas of the Arthāśāstra. Thus Manu for the purpose of stressing the importance of punishment as the grand security of public order, personifies the abstract principle and invests it with the highest attributes of sanctity and power. "For the (king's) sake," he says, "the Lord formerly created his own son, Punishment, the protector of all creatures, (an incarnation of) the law, formed of Brahman's glory." And again, "Punishment is (in reality) the king (and) the male, that the manager of affairs, that the ruler, and that is called the surety

* Sāntiparvan LVII 5.

† VII 202.

for the four orders obedience to the law" * This is followed by a verse of a similar import which as we now know was borrowed by Manu from an older text † In another place Manu justifies the infliction of punishment, in the fashion of some of the Arthasāstra teachers by pointing to the inherent evil of cosmic nature He writes The whole world is kept in order by punishment, for a guiltless man is hard to find through fear of punishment the whole world yields the enjoyments (which it owes) ‡

While on the subject of punishment Manu mentions certain qualities as being absolutely necessary for the king's successful discharge of this all important function Such are the qualities of straight forwardness considerateness control of the senses and the like § We might perhaps take this in the light of a much needed corrective to the view laid down by the author in an earlier passage|| where punishment is declared in effect to be the king's divine prerogative

Let us next consider the attitude of the authors whom we are now considering towards religion and morality in so far as this is reflected in their rules relating to internal administration and external policy As regards the first point it is obvious since politics is here treated under the title of rāja dharma that it is part and parcel of the Sacred Law

VII 11 : 17

† VII 18 : cf. p. 107 supra For a still more vivid and powerful description of the nature of punishment vide chapter CXXI of the Śāntiparvan

‡ VII 22

§ VII 26-31

|| VII 11 quoted just above

(dharma). To say this, however, is not to state that politics as conceived by these thinkers is derived from the sacred canon, for, as we have seen in another place, they draw freely upon the ideas of the Aithaśāstra to fill in the dim outline of the earlier canonical list of the king's duties. The point is brought out in a characteristically dramatic fashion, in chapter CXLII of the Śāntiparvan which, as stated by the author, forms the grand *apologia* on behalf of Bhīṣma's teaching. There we are told how the pious and gentle king Yudhiṣṭhira, after listening to the Machiavellian rules and principles of his master, can restrain himself no longer and bursts out in the agony of his soul, "If this horrible and disreputable course of conduct is prescribed by thee even for persons like ourselves, does there exist any established usage of the robbers which thou wouldst advise me to shun? I am bewildered and thrown into grief; my virtue (dharma) is relaxed; however much I may try to reconcile myself to them, I have not the resolution to act according to thy precepts." Bhīṣma makes the memorable admission that his teaching of duty to the king has not been derived from hearing the Sacred Canon alone, but is the 'culmination of wisdom' and is the 'distilled honey gathered by the learned.' This leads to a disquisition on the nature of rājadharmā. The king, it is urged, should arrange for that manifold wisdom, by following which his reason is not characterised by a one-sided morality. Duty (dharma) having wisdom (buddhi) for its source as well as the practice of pious men must be always learnt from experience. Since those kings who are supreme in wisdom are capable of desiring

conquests¹ they should counteract the 'dharma' by means of reason. The king's 'dharma' is not capable of being performed by a one-sided morality how can a weak king acquire wisdom which he has not learnt before ?* Politics then according to this view is based not so much on the sacred canon as on reason and experience †

Turning next to the consideration of the authors' attitude towards morality in so far as this is manifested in their rules of statecraft we think we can detect in them a qualified acceptance of the teaching of the Arthasāstra. These authors, indeed, no doubt in accordance with their stricter adherence to the concept of the religious basis of human existence repudiate almost entirely the dismal creed of cruelty and deceit which formed as we have seen in another place the essence of the Arthasāstra statecraft. Manu, for example while enjoining the king to be on his guard against the treachery of his enemies,

* Śāntiparvan CXLII 17

† The commentator Nīlakanṭha brings out this idea very clearly by drawing a contrast between the rules of public policy and the Vedic religious rites and ceremonies. He writes (commentary on Śāntiparvan CXLII 8) 'This is not enjoined (to be done) in the manner of the Agnihotra sacrifice and the like but because it was framed by learned men who found serious evils arising from its non performance'

The above conception of Politics as involving the lessons of reason and experience leads Bṛhīma in the latter portion of the chapter from which we have just quoted to mention a remarkable canon of interpretation of the Sacred Law in general. The knowledge of dharma he says (Ibid 17) is acquired not by means of the sacred text alone nor by reason alone. [Cf p 113 footnote supra] Again he says (Ibid 21) that the canon is exalted by a verbal interpretation united with reason that is based upon the canon

categorically forbids him to act with guile *† Both the Manusamhitā and the Śāntiparvan, moreover, contain a code of the rules of war for the guidance of the Kṣattriyas, which is distinguished by its humane spirit.‡ Nevertheless the authors whom we are now considering sanction, in the interests of the king or of the State, some remarkable departure from the strict ethical standard.⁹ To illustrate this point we need not, we think, lay much stress on those passages which exalt fighting as an act of merit on the part of the king,‡ or those which justify the king's chastisement of his foes.§ More conclusive evidence is furnished by other passages to which we may at once turn our attention. In chapter C Yudhiṣṭhira on whom the lessons of righteous warfare have just been impressed by his master asks how the kings desirous of victory may lead their troops to battle even by slightly offending against the rules of morality Bhīṣma says in the course of a lengthy reply that the king should learn both kinds of wisdom, namely, the straightforward and the tortuous While the king, the teacher continues, should not follow the latter kind of wisdom, he should use it for removing the evil that overtakes him || In another place Bhīṣma, asked as to the line of conduct which a king should pursue when his friends are diminishing and foes are many, when his treasury is exhausted and he has no troops, when his ministers and assis-

* Manusamhitā VII 104

† Ibid VII 90-93 ; Śāntiparvan, XCV-XCVI

‡ Cf. Manu VII 89 etc.

§ Cf. Ibid VII 32, 110 etc

|| Śāntiparvan C 1, 5.

tants are wicked and his counsels are divulged, replies that the king should seize the wealth of all persons other than the ascetics and the Brāhmaṇas. Further on he declares that the oppression of the subjects for the purpose of raising the revenue is no sin and he states on the analogy of the felling down of trees for furnishing sacrificial stakes that success is impossible without slaying those persons who stand in the way of enriching the treasury *. Finally we may mention a passage in chapter LXIX of the Śāntiparvan where Bhīṣma seems to preach for once that noxious cult of the poison and the dagger which, as we have seen in another place, was started into vogue by the Arthaśāstra. In this passage it is declared that the weak king may afflict the territory of his powerful enemy by means of weapons, fire, poison and stupefying articles †

It will appear from the above that the canonical authors while broadly inculcating the subordination of politics to morality condone some slight breaches of this principle for fulfilling what they conceive to be the interests of the State. In justification of this attitude the author of the Śāntiparvan first mentions the argument that his rules of policy, however much they might offend against the principles of higher morality are based upon the supreme law of self preservation which involves in this case the acquisition of power as well. Thus in chapter CXXX which forms the great storehouse of such arguments Bhīṣma begins by expressing his disapprobation of the rule that he is about to suggest

* Śāntiparvan CXXX 12; 20; 36; 41-42

† Ibid LXIX 27

in the case specified by Yudhiṣṭhira—the rule, namely, that the king should relieve his own distress by seizing the wealth of all his subjects other than that of the ascetics and the Brāhmanas. This line of conduct, he says, while fitted to ensue the king's livelihood is not approved by himself from the point of view of true morality in as much as it involves the infliction of pain upon the subjects and in the end is destructive like death itself. Nevertheless Bhīṣma has no hesitation in urging in the lines immediately following that the king should raise the revenue as one raises water out of waterless tracts. In supporting this view he says, "Virtue can be secured without acquiring the revenue, but life is more important than religious merit." Developing this idea in a later verse he says that since the weak man who follows the path of virtue is incapable of securing a just means of subsistence and since strength can not be acquired by mere effort, an unrighteous act assumes the nature of virtue in times of distress, while a righteous act becomes in such times a sin. The whole effect of this teaching is summed up in the dictates of unblushing egoism. "With his whole soul and by all means, the king should seek to deliver not his or anyone else's virtue but only himself." *

In support of his plea for a system of statecraft based upon the creed of self-preservation, Bhīṣma is able to plead in the chapter that we are now con-

* Sāntiparvan CXXX 8-9, 13-16, 18 We have adopted in the rendering of the last verse but one the explanation of the commentator who illustrates the author's meaning by saying that the king's fleecing of the subjects becomes a righteous act in times of distress, while its non-performance becomes a sin.

sidering the authority of the sacred canon and the example of the pious. One set of duties he declares is prescribed for those who are competent to carry them out and a quite another set for times of distress. Again, he says that the Brāhmanas themselves when suffering from distress may perform sacrifices for those who are not eligible and may eat forbidden food *

Not content with invoking the law of self preservation Bhīṣma appeals in the context that we are now treating to the normal tendencies of existence as 'furnishing a sufficient justification for his rule of policy. Here again, it should be noticed he supports his argument by pointing to the example of the pious. The livelihood of no man here he says, not even that of the ascetic living in the forest and wandering alone can be maintained without hurting others. No one can live by following the occupation that is prescribed by the sage Śaṅkha especially is this maxim true of one who desires to protect his subjects †. In the above extract it will be noticed, Bhīṣma virtually declares in justification of his statecraft that violence is the natural law of existence and especially of the government of men. Of a similar nature is the statement contained in a later passage, namely that whatever exists in this world is desired by all men, each of them shouting 'This is mine ‡. This passage which occurs in the midst of a panegyric

Śāntiparvan CXXX 14 ; 21

† Ibid 28 20. Śaṅkhalikhitam in verse 20 is differently interpreted by the commentator a meaning what is written in one's destiny

‡ Ibid 10

on wealth, evidently implies the acquisition of riches to be the natural law of existence

Among the subsidiary arguments urged by the author in justification of his partially unscrupulous statecraft is one based upon the nature of the Ksatriya's rule of life. The idea in this case is that the inexorable authority of the sacred canon imposes upon the Ksatriya or the king who is in distress some rules of doubtful morality,—a view which evidently implies the canon to be above and beyond morality. Neither subsistence by begging, says Bhīṣma in another place in the course of the above argument, nor the occupation of the Vaiśya or the Śūdra, has been ordained for the Ksatriya whose treasury and army are weak and who is therefore overpowered by all people; for him there has been prescribed only that occupation which is next to his proper duty.*

The last argument urged by the author in justifying the rule relating to the king's forcible seizure of the property of the subjects is based upon the notion of the paramount importance of the king or of the State—a notion which, if pressed to its logical conclusion, would involve the view that the State is above and beyond morality. Since the Ksatriya, Bhīṣma says in one of the verses of chapter CXXX, is the destroyer as well as the preserver of the people, he should take away wealth from them when he is

* Sāntiparvan CXXX 23-24 The commentator explains the last passage by saying that the king's proper duty is the acquisition of wealth by means of victory in the battlefield, and that the duty nearest to it is the acquisition of wealth by the oppression of one's own kingdom as well as that of the enemy.

engaged in the task of protection. Further on he says that the king and the subjects (lit. the kingdom) should protect each other in times of difficulty. Just as the king protects his subjects in their peril by bestowing his substance, so should the latter support the former in his difficulty. In a later passage Bhīṣma states that the revenue is the root of the king, it is also the root of the army which again is the root of all duties which in their turn are the root of the subjects. In the following lines the hero compares for the purpose of exculpating the royal exactions the king's function to the performance of a sacrificial act.*

Much as the monarchic State forms in the *Manu* *samhitā* and the *Mahābhārata* the centre of the canonists' speculation, the author of the latter work steps in one place out of the beaten track and addresses himself to the problem of non-monarchical communities (*gaṇas*)†. In Chapter CVII of the *Śānti* parvan Yudhiṣṭhira tells Bhīṣma, "I want to hear,

* Śāntiparvan CXXX 27-30 61-85 37-39

† The political significance of *gaṇa* in the sense of a non-monarchical or a republican community was first pointed out (*Modern Review* Calcutta May 1913) by Mr. K. P. Jayswal who subsequently (*J. B. O. R. S.* 1915 pp. 173-174) reiterated some of his arguments in the course of his exposition of the following passage from the *Mahābhārata*. The point has since been treated with great thoroughness by Prof. D. R. Bhandarkar who has distinguished (op. cit. Lect. 1) *pasadim*) between the generic sense of *gaṇa* (namely Government of the Many or a republic of the Greek type) and its special sense (namely a republic of a tribal character which was confined to the *kyatthiya* order). Dr. Narendra Nath Law. It may be noted translates (*Modern Review* September 1916) *gaṇa* in the *Mahābhārata* extract to be just quoted in the more general sense of an autonomous tribe or a self-governing community.

O chief of the wise, the course of conduct of the ganas, how they prosper and are not torn by dissensions, (how they) conquer their enemies and acquire allies? " Bhīṣma begins his lengthy reply by tracing to their roots the causes of the destruction of the ganas. Among the ganas as well as the royal [families which form their unit], he says, it is desire and anger that kindle hostilities. First, one [of two parties] harbours desire, and [when this is not gratified], becomes filled with indignation. Then [these two] incur the loss of men and money and crush each other. [A number of such parties] oppress one another by means of espionage, intrigues and force, by applying the threefold policy of conciliation, dissension and gift, and by the methods involving the loss of men and money as well as intimidation. In such a case it is by receiving [spies and the like] that the ganas that live by unity are torn asunder, and they, being divided and dispirited, succumb to the enemy through fear. From this Bhīṣma concludes that the ganas should always put forth their effort in unison, for, as he explains, those who put forth their strength and effort in combination are capable of acquiring wealth and they win the friendship of external powers. Reverting to the earlier theme he says in the concluding lines of his address that the quarrels among the families, when ignored by the family elders, produce the ruin of the clan as well as disunion in the gana. Contrasting the effect of disunion with that of foreign aggression, he urges in the same connection that the external danger is of no consequence, but the internal danger is to be guarded against, for it cuts at the root. Further on

he says referring to the special nature of the gaṇas that all their members are alike in respect of caste and family but not in the qualities of energy intelligence and physical accomplishments Bhīṣma closes his argument with the same practical advice as before ' By means of dissensions as well as gift, the gaṇas are torn asunder by the enemies hence unity is declared to be their principal refuge '

Dissension then according to this view, is the bane of the gaṇas and its avoidance their primary desideratum Next to this in the author's estimation perhaps ranks the necessity of concentration of the main functions of administration in the hands of a council of chiefs * The heads of the gaṇas we are told in the above context, should be principally respected for the course of worldly affairs depends largely upon them Descending to details the teacher says that the safeguarding of counsel as well as espionage should be left to the chiefs for as he states with true insight into the nature of public assemblies it is not meet that the gaṇa as a whole should hear the counsel The heads of the gaṇas should carry out in secret the measures contributing to their welfare for otherwise the interests of the separate, divided and scattered gaṇas would suffer decay and there would arise dangers among them

Among the minor conditions mentioned by Bhīṣma in the foregoing chapter as ensuring the welfare of the gaṇas are the appointment of righteous

It may be observed that Yudhiṣṭhira in putting his question points (CV II 8) to the same twofold weakness of the gaṇas namely the danger of disunion and the difficulty of secret consultation

officials, just laws and administration of justice, discipline, attention to counsel, espionage and the treasury, and lastly, respect for valour and wisdom.*

Such is the famous and oft-quoted extract embodying the canonist's view of the conditions ensuring the success of republican communities. If we have to look for a precedent, we may perhaps find one in two passages of the Buddhist canon which, as we have seen in another place, give identical lists of seven conditions of welfare with reference to the Vajji—Lichchhavi confederacy.† A comparison of these passages, with the present one reveals, we think,

* Sāntaparvan CVII 6-32. In interpreting the above extract we have felt it necessary to differ in certain places from the versions of Mr K. P Jayswal (J B O R. S 1915, pp. 174-178) and Prof Ramesh Chandra Majumdar (op cit., pp 110-111) 'Kulānāñcha rājnāñcha' in verse 10 is, we think, for reasons stated below, correctly rendered as 'among the kulas of the rājās' (Jayswal) and not as 'among the kulas and the kings, (Majumdar) Mr Jayswal (loc cit p 176 footnote) explains it to mean 'aristocracies like that of Patala,' but the context (vide specially verse 28) shows that 'kula' is closely connected with, in fact is part and parcel of, the 'gaṇa' The true meaning of 'rājakula' in the above phrase is probably the royal family or clan which, as we learn from other sources, formed the political unit of the gaṇa and was governed by a chief or chiefs bearing the title of king (Vide D R Bhandarkar, op cit, pp 150-151, 160, 163 etc) In verses 11-12 'lobhameko hi vṛṇate tato hyamarśasamyuktau .. prakarsantitaretaram,' evidently involves a transition from the singular to the dual and thence to the plural number. In verse 26 'prithaggaṇasya bhinnasya vitatasya' means, we think, the separate, divided and scattered, gaṇas Finally, the second line of verse 31 'na chodyogena buddhyā vā rūpa-dravyena vā paṇah' should we think go with the former line and not with the following couplet, since the application of dissension and bribery which is mentioned in verse 32 does not exclude the exercise of energy, intelligence, and 'tempting with beauty'

† Vide supra, pp 121-122.

the superiority of the later thought in form as well as in matter. For while the Buddhist author addresses himself to the case of a particular republican community and gives but a bare list of its essential qualifications the Brahminical writer analyses the qualifications of republics in general and brings out in course of this analysis some of their outstanding characteristics. From the nature of the qualifications insisted on in the foregoing passages it further appears that while in the earlier analysis the moralist preponderates over the political thinker the case is just the reverse in the latter instance.*

* Prof. Ramesh Chandra Majumdar (op cit. p. 107) thinks in view of the changed attitude of the author towards the republics as compared with Kautilya, that the above passage from the Mahābhārata ushered in a new epoch of political thought which was a reaction against that represented by the school of Kautilya. We are not quite sure whether this claim can be sustained. For much as we agree with Dr Majumdar in his emphasis of the different angle of vision from which the non-monarchical communities^c are studied by Kautilya and the author of the Mahābhārata, we fail to find in the former anything resembling a theory of republics,—Kautilya's treatise as we have said elsewhere is essentially a work on the art of government and not on the theory of the State. Nor must it be forgotten that the reflections in the Mahābhārata extract above quoted however acute they might be roused not a single echo in the later systems of thought, while the speculations of the canonical author relating to the monarchic State were eagerly drawn upon by the subsequent writers. In these circumstances we may perhaps correctly describe the position held by the theory of the *ganas* in the Śāntiparvan in relation to the historical development of Hindu thought by saying that it involved the consideration after a long interval and with an intensified insight of the problem of republican communities.

II

It has been our endeavour in the early part of this chapter to show how the canonical authors of the present period incorporated a more or less considerable branch of the Arthaśāstra thought with the teaching of the older canon. We have now to mention another author belonging apparently to the close of this period who represented, although in an incidental fashion and within closely restricted limits, an independent, not to say contrary, tradition of political thinking. The Chatuḥśatikā written by the Buddhist monk Āryadeva is a didactic and philosophical work, but it has even in its existing fragmentary condition at least two extracts bearing specifically on the subject-matter of politics. It will be convenient to treat these extracts along with the accompanying commentary which, however distant it might be in time, elucidates the author's meaning by connecting it with the imaginary *prima facie* argument (pūrva-pakṣa) to which it apparently furnishes an answer. The first extract is concerned with the nature of the king's office. Replying, as the commentator mentions, to the argument that the king's pride is justified because all undertakings depend upon him, Āryadeva states with angry impatience, "What superciliousness is thine, (O King !), thou who art a (mere) servant of the multitude (ganadāsa) and who receivest the sixth part (of the produce) as thine wages."* In the above passage, it will be observed, an idea frequently represented in the earlier literature, namely, that the king is an official paid by the

people for the service of protection is for once carried to its extreme limit and however much we may be disinclined to treat Āryadeva's outburst as partaking of the nature of a well-considered political theory it is impossible not to be struck with the broad contrast that it presents to the attitude of the Brahminical canonists of this period who applied themselves principally to the vindication of monarchical authority *

The second extract which we may properly consider in this connection is concerned with what may be called the relation of politics to morality. The wise man, Āryadeva states in one place, should not conform to all the doings of the sages since even among them there exist the grades of bad, intermediate and good persons. This passage, the

While on the subject of kingship as conceived by Āryadeva we may pause for a moment to trace the subsequent fortunes of the Buddhist theory of Contract—a theory which as we have seen in another place hinges upon the election of a fictitious king called Mahāsammata by popular consent. It appears to us, from the evidence bearing on this point that the Buddhist theory was pushed into the background by the rival Brahminical theories of the king's divine creation and was finally extinguished on the Indian soil along with the faith of which it was the product. It is significant to notice in this connection that the author of the *Sūkrantī* while exhibiting (I 188) at a later date Āryadeva's conception of the king's relation to the people is constrained to base this upon the king's ordination by the god Brahmā (*Infra* ch. VII). Meanwhile however Buddhism had travelled to distant lands, and the theory of Contract as forming part and parcel of the Sacred Canon found a secure asylum in the native literatures of those countries. We thus get more or less identical accounts of the election of Mahāsammata in the Tibetan *Dulva* (Vide *Rockhill's Life of the Buddha* pp. 19) the Burmese *Damathat* (Richardson's translation p. 7) and the Ceylonese sacred works (vide Spence Hardy *Manual of Buddhism* p. 65)

commentator thinks, answers the plea that the king who even slays creatures in accordance with the law (dharma) laid down by the sages (ṛṣipranīta) commits no sin. In days of yore, the author states in the following verse, the people were protected by the good kings as if these were their own children; but the world is now converted into a deer-park, as it were, by kings following the rule of the Iron Age. This passage, according to the commentator, is intended to teach that the canon which is consistent with righteousness is binding, while that which is inconsistent with the same has no authority.* If the king striking at his enemy through a loophole, the author urges with pitiless logic in a later verse, were to commit no sin, sinful consequences would not accrue to other thieves from beforehand. This passage, the commentator thinks, refutes the argument that the canon declares the king striking through a loophole to be exempt from sin. In a later verse the author similarly observes, "The sacrifice of one's all in the form of indulgence in wine and such other things is not commended. How then can the sacrifice of one's own self in battle be praised?" Here we have, according to the commentator, the answer to the plea that if the king dies on the battle-field, he surely attains heaven by virtue of his self-sacrifice.*

The above extract, it seems to us, controverts the position of the Brāhmana canonists of this period at some important points. In the Manusamhitā and the Mahābhārata, as we have seen in another place,

Politics is treated within certain limits as more or less independent of morality * Hence the authors not only justify lawful slaughter, but also approve of the king's treacherous attack upon his foe and in the same spirit commend the king's death on the battlefield as an act of the highest sacrifice. Far different is the attitude exhibited by the Buddhist author in the passage above quoted To this stern and uncompromising moralist Politics it would appear is absolutely subservient to morality He begins by boldly avowing in justification of his ban against lawful slaughter that the sages themselves must be judged by the eternal standards of right and wrong Continuing his argument in the following verse, he points out by contrast with the conditions of a hypothetical golden age in the past the wickedness of the canonical laws of his own time This implies if we may trust the commentator, that the sacred canon itself must be judged by the ethical standard Turning to another point, the Buddhist author declares in flat contradiction of the Brahmana canonists that the king treacherously attacking his enemy is just like an ordinary robber while his self sacrifice on the battlefield is on the same moral level as the spending of one's whole substance in riotous living

CHAPTER V.

THE BEGINNINGS OF DECLINE—THE ESSENCE OF
POLITY (NĪTISĀRA) OF KĀMANDAKA, AND THE
PURĀNAS AND MINOR LAW-BOOKS
(SMRITIS). CIRCA 200-500 A.D.

I

Kāmandaka's Nītisāra is not an original work, but a scholar's compilation based principally upon Kauṭilya's Arthaśāstra—The theory of integration of the constituent factors of sovereignty—The theory of kingship—The rule of the king's discipline and of punishment (danḍa)—Relation of Kāmandaka's statecraft to morality.

II

General character of political ideas in the Purāṇas and the minor Smritis—The doctrine of the king's divine nature—The theory of the king's immunity from harm and of obedience of the subjects—The principles limiting the abuses of the king's power

I

In the preceding chapter we have endeavoured to describe in connection with the two great works of the Brahminical canon and especially the Mahābhārata, the synthesis, under the influence of the dominant conception of the religious basis of human existence, of political ideas derived as well from the secular Arthaśāstra as the older canon. It is indeed in the last-named work that Hindu political theory reached its high water-mark. In the

present period the writers, as we hope to show presently, tried at some points to amplify or at any rate treat the ideas of the older masters but their speculations can not certainly compare either in depth or in thoroughness with those of their predecessors.

Of the works with which we are concerned in this chapter we shall first select for examination the one which divides with the *Śukranītisūtra* the credit of being the most popular text book on the science of polity in the whole range of Hindu literature *. The *Nītisūtra* of Kāmandaka as this treatise is called may well claim to be reckoned as the representative of the literature of *Arthaśāstra* during this period for its author professes in the genuine style of the latter class of works to deal with the acquisition and the protection of territory † Nevertheless there can be no comparison between Kāmandaka and his predecessors in the same field for he can not unlike the latter lay claim to the merit of originality or even of first hand study of the phenomena of the State. Out of love for the science of polity he says in the context in which the passage just quoted occurs we shall teach something that

Kāmandaka's *Nītikāra* is repeatedly quoted in the *Rājadharmas* and *Nīti* sections of the *Mēdhaśvala* Digests of the sacred law. Even the *Matsya Purāṇa*, as we shall see later on in this chapter borrows one of its longest discourses on *Nīti* from the same source. A *Nīti* work, lastly purporting to be the composition of Kāmandaka is extant in the ancient literature of the island of Bali near Java. Vide *Essays Relating to Indo-China* Vol II p. 93 (Trübner's Oriental Series).

† Vide Kāmandaka I 8: *upārjane pālano cha bhūmer bhūmīvaran prati yat līchhidupadekṣyāmo rājavidyāvidām matam.* Throughout this work the references to Kāmandaka in the Roman character stand for *prakarapras not sarjya* in the edition of T. Ganapati Śāstri (Trivandrum Sanskrit Series).

is approved by those versed in the royal policy. This is evidently the language not of one in touch with practical politics, but of a man of books. Kāmandaka moreover leaves us in no doubt as to the source of his inspiration. For in the same context he deliberately announces his work to be based upon the teaching (darsana) of Viṣṇugupta (Kauṭilya) whose ancestry and achievements he extols in the highest terms.* The Essence of Polity, then, according to the explicit testimony of its own author, is a scholar's compilation based principally upon the Arthaśāstra of Kauṭilya. In accordance with this description we find that the author, while excluding from his purview the whole of Kauṭilya's material relating to civil law and the departments of the administration, furnishes what amounts to a metrical paraphrase of the rest. It must, however, be remembered to Kāmandaka's credit that he arranges his borrowed material under more convenient headings, while he multiplies, it may be with pedantic thoroughness, the categories into which his master's rules of public policy are resolvable.† While Kauṭilya's work is the chief source of Kāmandaka's inspiration, he is indebted, as we hope to show presently, to the Brāhminical canon for some phases of his thought.

* I 2-7. Elsewhere (III 6) Kāmandaka, citing an opinion of Kauṭilya, characterises it as the teaching of his master.

† Cf. e.g. Kāmandaka's division of his work into separate chapters dealing with the circle of States (maṇḍala) (XII-XIII), the six forms of foreign policy (XIV-XVI), deliberation in the State Council (XVII), and the conduct of the Ambassador (XVIII-XIX). Also cf. Kāmandaka's lists of the different kinds of alliance (XIV), war (XV), neutrality and marching (Ch. XVI), as well as the lists of kings with whom alliance should be made and of those with whom it should not be made (XIV).

Beginning our survey of Kāmandaka's political ideas with his treatment of the concept of seven limbs of sovereignty we have to observe that the author takes over from his master the specific order in which the 'calamities' of the limbs are described * Along with this Kāmandaka combines, however incongruously a notion, that was at best dimly perceived by Kauṭilya the notion, namely, of the organic relation of the factors of sovereignty Thus he applies in one place the epithet 'helpful to one another' (*parasparopakārī*) to the seven limbs, and he explains his meaning by saying that sovereignty does not flourish even if it is deficient in one single limb † In this passage is evidently embodied an idea which if we might express it in the technical language of political theory would be called that 'of the integration of the governmental units

When we turn to consider the general theory of kingship in Kāmandaka we find him virtually reproducing in a somewhat perfunctory fashion some of the basic ideas of the older masters He has to begin with a lively sense of the importance of the king's office from the point of view of the subjects Protection he says in one place depends upon the king the science of agriculture cattle breeding and trade (*vārttā*) in its turn depends upon protection if this science were to be suspended the people would not live even though they might breathe Like the clouds Kāmandaka goes on the king is the refuge of all creatures if the clouds were to go wrong the creatures could still live but they could

XXII 03 Cf Kauṭ pp 322-324

† VII 12

not do so if the king were to go wrong * According to this view, then, the king's office is the primary as well as the essential condition of existence.† In an earlier passage the author shows how the happiness as well as the misery of the people depends upon the personality of the king. There he says that the king who is approved by the aged persons causes prosperity and rejoicing, while he who is an imperfect guide plunges the people in utter destruction.‡

While thus inculcating the old notion of the paramount importance of the king's office, Kāmandaka, it should be particularly remarked, fails to mention, as he might very well have done, the theories of divine creation of the king. Indeed it appears that the author's references to the divine nature of the king, much as this doctrine was familiar by this time, are few in number and indirect in their nature. The result of this half-hearted acceptance of the older teaching may be seen, we think, in the remarkably colourless fashion in which the author handles the old doctrine relating to the submission of the subjects. The people, he says, honour even as they honour Prajāpati (Brahmā) the king who is virtuous,

* I 12-13.

† Similarly in IV 34, after describing the duties of the caste and the orders, the author states that should the king not exist, righteousness would perish, and if righteousness were to disappear, the world itself would be destroyed.

‡ I 9-10.

§ One such reference may be quoted. In the introductory verse where it is customary to offer salutation to a deity for the purpose of removing obstacles, the author pronounces benediction upon the king, the lord, the auspicious one, wielding the sceptre, through whose might the world follows the eternal path. This is justified, as the commentator remarks, by the plea that the king is created out of the essences of the guardian deities, and is animated by the god Viṣṇu (Vide Sankarārya's commentary on Kāmandaka I 1.)

who protects his subjects well and who conquers the towns of his enemies *

When we look out in Kāmandaka's work for the principles counteracting those of monarchical authority, we find it to be an almost complete blank. * There is, however one extract which while occurring in the context of passages justifying the king's authority, incidentally embodies we think, the idea of the king's duty of protection. There it is said "The king protects the people the latter cause him to thrive (by payment of the sixth part of the produce and the like) Protection however is better than causing prosperity since if the former were to disappear the latter would be an evil even if it could exist. † In this extract the last phrase is particularly noticeable. Its meaning as the commentator points out, is that in the absence of protection what ever is paid by the subjects for making the king thrive is impure in the sense of being mixed up with the sins of the subjects ‡

111

c

† 114

‡ Kāmandaka's silence with regard to the theory of the king's divine creation and his colourless reference to the doctrine of submission of the subjects, are matched by a Tamil author belonging to the early centuries of the Christian era, the illustrious Tiruvalluvar who treats the subject of kingship in one of the sections of his famous work called the *Kural*. May this coincidence be taken to be a measure of the qualified success as yet attained by the Brahminical theories of the king's origin such as those that are exhibited in the *Manu-samhitā* and the *Mahābhārata*? It will probably help us to answer this question if we remember that the attitude of Kāmandaka and the Tamil poet presents a marked contrast to that of the canonical authors of this period whose theories of kingship are saturated as we hope to show presently with the doctrines of the king's divine nature and of the obedience of the subjects.

Kāmandaka's rules relating to the art of government properly so called, which form as might be expected the core of his thought, have little, if any, independent interest. It will be enough to illustrate their nature by means of two examples. Kāmandaka urges upon the king in the early part of his work* the necessity of self-discipline and intellectual training, his rules to this effect being merely an amplification of those laid down by Kauṭilya. He conceives this discipline to be the essential requisite of successful government, for he says, "How can the person who is unable to control his own mind conquer the earth extending up to the sea?"† In some later verses he drives his lesson home in the fashion of his master by quoting the instances of those who achieved success through sense-control and of those who failed through its neglect ‡

Next to his inculcation of discipline on the king's part may be mentioned as an illustration of the author's statecraft his rule of punishment (danda). Paraphrasing a text of Kauṭilya Kāmandaka shows the evils of excessive severity as well as leniency, and he recommends the infliction of just punishment § With equal fidelity to his master he points out in a later passage, the function of punishment as the grand safeguard against anarchy, and he connects this with the old Brahminical idea of the universal wickedness of men || Since creatures with their proper duties violated, he says, have a tendency to

* I 21-60, II 61-71

† I 39

‡ I 56, 58-60

§ V 37.

|| Cf pp 107, 154 *supra*.

prey upon one another there arises in the absence of punishment the destructive condition indicated by the maxim of the fishes (*mātsyanyāya*) Amplifying this idea in the following verse, the author states that this world shelterless and being perforce caused to sink into hell under the influence of desire greed and the like is sustained by the king by means of punishment.* This is followed by two other verses of the same nature but it is unnecessary to quote them here

When we turn from the above to consider the author's attitude towards morality in so far as his rules of policy are concerned, we find him occupying a position which in its attempt to condone a partially Machiavellian statecraft from the point of view of authoritative example betrays the influence of the *Mahābhārata*.† In the beginning of his work he broadly inculcates the king's observance of the rule of virtuous conduct The king who is devoted to righteous conduct he says unites himself and afterwards his people with the threefold end of life while he who is of an opposite nature destroys both without doubt In the following lines he drives his lesson home by quoting the example of the good king *Vaijavāna* and the wicked king *Nahusa*, and he admonishes the king to seek his welfare with righteousness as his guide‡ This however does not prevent the author from reproducing in the actual details of his statecraft some of the typical rules of the *Arthasāstra* Thus in his chapter relating to

1 40 11

† Cf p 202 *supra*.

‡ 1 15 10

the suppression of disturbers of the public peace he writes that the king should slay without delay the wicked ones (*dūsyāh*)—that is, as the author explains, those sinful favourites of the king who singly or collectively harm the kingdom—either secretly, or else publicly after causing them to incur the enmity of the people.* In another place *Kāmandaka*, while analysing the seven traditional forms of policy (*upāya*) divides punishment into three classes, of which the first-named (*viz* slaying) is subdivided into two kinds, namely the open and the secret. While the former should be applied, *Kāmandaka* thinks, against the enemy who is hated by the people, the latter should be inflicted upon those who irritate the subjects, who are the king's favourites, and who are powerful and oppressive to the others. This last form of punishment, the author explains, consists in the application of poison, secret appliances, weapons, and ointments causing sores † In the third and last extract bearing on this point *Kāmandaka* divides fighting into two classes, namely fair and treacherous. The former, we are told, should be resorted to when the king has the advantage of time and place, has seduced the enemy's elements of sovereignty (or subjects) and is powerful, but the latter should be followed in the contrary circumstances. This last form of fighting comprises, as we learn from the numerous examples given by the author, various methods of slaying the enemy by

* IX 9-10 Cf p 149, *supra*. It may be mentioned in this connection that *Kāmandaka's* example of contrivances for secret punishment (*Ibid* 11-12) is copied from *Kautilya* p 239.

† XXVII 9-12

attacking him on unfavourable ground or when he is off his guard *

Rules like the above might have been justified by Kāmandaka, as they were by his master merely from the point of view of the interests of the society or of the State. It is however characteristic of the author that he seeks in the course of the chapters just cited to justify his statecraft on the higher ground of morality. Thus while advising the king to suppress the disturbers of the public peace he writes,

Kings that were almost like sages had recourse to righteous slaughter hence the king is not afflicted with sin by slaying the wicked in the interests of righteousness' † Again in his chapter relating to unrighteous fighting the author winds up by saying that the slaying of the foe by treachery does not involve the obstruction of righteousness and he quotes the example of the Kuru hero Aśvatthāmā who slew the Pāṇḍava host during night-time when it was absorbed in deep slumber ‡ „

II

Let us now turn to the second class of writings that may be said more or less properly to fall within the limits of this chapter. This is the collection of the Purāṇas and the minor Law books (Smṛitis) which represents during this period the literature of the Brahminical canon just as Kāmandaka's

XXI 61-68 Cf pp 140 160 supra.

† IX 6 In connection with this point it should be noticed that Kāmandaka introduces (Ibid 7) an elastic definition of morality (dharma) making it synonymous with the approved opinion of the Aryas learned in the canon.

‡ XXI 71

Nītisāra represents the literature of Arthaśāstra.* Here again, as in the former case, the signs of decline as compared with the vigorous speculation of the earlier epoch, are writ large on the surface. For in the first place much as the authors of the Purāṇas worked out in their sections on rājadharmā and Nīti the ideas of the older canon, especially in relation to the king's office, their contributions are essentially of the nature of compilations based upon the earlier material † Nothing, moreover, is more characteristic of these authors, in so far as our point of view is concerned, than their endless and monotonous repetition of the rules of kingly conduct in the place of speculations of an abstract nature ‡ As regards the minor Law-books we find that however interesting may be the development of the theory of kingship in these works, they make

* Strictly speaking it is the Mahāpurāṇas alone that should be included along with the minor Smṛitis in the present section but for the sake of convenience it has been thought advisable to draw upon the minor Purāṇas as well

† A remarkable instance of what we think to be pious plagiarism occurs in the Agni Purāṇa (CCXXXVII-CCXLI) which contains a long discourse on Nīti that purports to have been addressed by king Rāma to his brother Lakṣmaṇa. It consists in reality of a string of unacknowledged quotations culled from the successive chapters of Kāmandaka's Nītisāra

‡ A further sign of decline in our view is the description in the Garuḍa Purāṇa (CVIII 1) of Nītisāstra as a science of general morals, of which the art of government Arthaśāstra is a branch

after all, but a slight contribution to political theory.*

To illustrate the political ideas of the works that we are now considering it will be enough to describe their theories of kingship. The Purāṇas repeat in some passages the older view of the primary importance of the king's office from the standpoint of the subjects. The author of the Brihaddharma Purāṇa, for instance declares in one place that the four orders (Āśramas) are capable of enjoying their existence only under the king's protection, while the prosperity that exists in the absence of the king depends upon another person and is therefore insecure †. It is, however, mainly upon the doctrine of the king's divine nature—a doctrine which as we have seen elsewhere, is as old as the Vedic Samhitās—that the authors whom we are now considering depend for the purpose of stressing the principle of monarchical authority. Thus the author last cited declares in one place that the king has a divine body in the

The paucity of political ideas in the Purāṇas and the minor Smṛitis is explained partly at any rate by their nature and scope. The Purāṇas as Prof Bühler pointed out long ago (S. B. E. Vol XLV Preface p xci) are popular sectarian compilations of mythology philosophy history and the sacred law intended as they are now used for the instruction of the unlettered classes including the upper divisions of the Śūdravarna the so-called Sachchidras. The minor Smṛitis again apart from the fact that they have come down to us mostly in a fragmentary form are concerned in the main with the branches of civil and criminal law alone.

† Quoted in Hemādri Chaturvargachintāmaṇi Vrata khaṇḍam Vol II p 1060. The same idea is conveyed in another passage of the Brihaddharma Purāṇa (Pūrva khaṇḍam IV 33) in the form of a striking metaphor. There it is declared that a land without a king is like a woman without a husband.

form of a mortal, and again, that the king who has the same physical attributes and limbs as other men lives on earth as a god.* The idea of the king's divinity is presented by these authors in the two distinct forms that we have found to occur in the Manusamhitā and the Śāntiparvan, namely, that involving the equivalence of the king's functions to those of the deities and that signifying the king's creation by the Supreme God out of the divine elements. Both these notions, it will be presently seen, are connected with the king's fulfilment of the essential duties of his office. The first may be illustrated by means of the following examples. The king, we are told by Nārada as well as Brihatparāśara, assumes the forms of five deities, namely Fire, Indra, the Moon, Yama and Kubera, according as he fulfils an equivalent number of functions.† Slightly altered versions of the above may be traced in the Mārkaṇḍeya and the Brīhad-dharma Purāṇas.‡ The account in the Agni Purāṇa is somewhat different in as much as it conceives the king as assuming the forms of nine deities according to the nature of his functions. The king, we are

* Quoted, Hemādri (loc cit) Nārada (XVIII 52) compares the king to a deity

† Quoted in Mitrāmśra's Rājanītiprakāśa, pp 20-21. The text of Nārada here cited corresponds to chapter XVIII 26-31 of the published work (Vide S B E Vol XXXIII pp 217-218). In another passage quoted by Mitrāmśra (op cit pp 21-22) Nārada adds, "The king by virtue of his brightness and purity is like the Being without beginning and without end, provided he does not stray from the path (of duty) "

‡ The list in the Mārkaṇḍeya (XVII 21) has the Sun and Wind in place of Fire and Kubera, while that of the Brīhad-dharma (Uttarakhaṇḍam III 6-7) has Īśa (Śiva) and Varuṇa in the place of Indra and Kubera,

told is like the sun because he can be gazed at with difficulty on account of his lustre he is like the moon because he is the object of gratification to the people through his sight he is the 'god of wind since he sweeps the world with his spies he is *Manu* *Vaivasvata* because of his punishing crimes he is the god of fire when he burns the evil minded he is *Kubera* when he gives away wealth to the twice-born he is *Varuṇa* since he showers wealth he is the Earth as he sustains the world by his forbearance, and he is the god *Hari* because he protects the people by exercising the powers of enthusiasm counsel and the like *

Let us next mention the passages illustrating the doctrine of the king's divine creation *Bṛihatparāśara* states in one place that the Creator formed the king out of the essences of eight separate deities whose names are specified by the author † This idea occurs in an amplified form in the *Bṛihaddharma Purāṇa* which states that the Lord of creatures (*Prajāpati*) formed the king's person by taking lordship from *Indra*, power from *Agni* cruelty from *Yama* prosperity from the Moon riches from the god of wealth and steadiness from *Viṣṇu* ‡

The theory of the king's divine nature naturally leads to that of the submission and obedience of the subjects which the canonical authors whom we are now treating appear likewise to have derived from the *Manusmṛitā* and the *Mahābhārata* This

CCXXV 17 20

† Vide *Mitramiśra*, op. cit. p. 10

‡ *Uttarakhaṇḍam* III 69 The *Mataya Purāṇa* (CCXXVI 1 12) combines the idea of the king's divine creation with that of the equivalence of his functions to those of the deities

obligation on the part of the subjects is justified, as before, partly on the ground of the primary importance of the king's office and partly on that of his divine nature* The Brihaddharma Purāṇa states in one place that the king assumes the forms of five distinct deities and therefore none should harm or vilify him † According to Dēvala the mother is Hari (Viṣṇu), the father is a deity, the elder brother is the god Kṛṣṇa, the preceptor is the god Viṣṇu, and the king is a god in visible form, therefore none should harm them ‡ The king's command, so runs a couple of verses in Nārada, makes impure men pure and *vice versa*: hence he should not be slighted or abused § Elsewhere Nārada declares in language recalling a celebrated text of Gautama's Dharmaśāstra, "Two persons, a Brāhmana and a king, are declared to be exempt from censure and corporal punishment in this world; for these two sustain the visible world."||

While in the above extracts the canonical authors would seem to teach the king's right of immunity from harm, they inculcate in other passages more or less on the same twofold basis of the king's divinity

* Nārada, it will be presently seen, adds a third ground involving the king's personal merit, which we are doubtless to understand was acquired by the latter in his previous birth

† Uttarakhaṇḍam III 6-7

‡ Vide Hemādri, Chaturvargachintāmaṇi, Prāyaścittakhaṇḍam pp 76-77

§ Vide Mitramisra, op cit p 22

|| XV and XVI 20, Jolly's translation Cf Gaut VIII 1-3, XI 31-32, quoted pp 62-63, supra We may mention in this connection that Nārada (XVIII 12) forbids advising or rebuking a king as well as a Brāhmana on account of their dignity and sanctity, and elsewhere (Ibid 54) he includes both the king and the Brāhmana in the list of eight sacred objects.

and the nature of his office the duty of obedience on the part of the subjects. The king's command, says Brihatparāśara in one place, is his great majesty he who disregards this should be slain by means of weapons. Whatever the king hears does and speaks, should be done by all his subjects. He who disregards the king's power, at once perishes. Finally the author clinches his arguments by putting a question. 'Who will not,' he asks, 'obey the command of the person that quickly does sees hears knows causes to shine and protects everything since he is born out of the essences of all deities?' * We may notice in this passage a tendency to develop the older teaching relating to the obedience of the subjects. This tendency we think, is most prominent in the next passage that we shall consider. The king's command says Nārada in one place, should be obeyed otherwise death would follow. What the king says be it right or wrong is the law (dharma) of the sutors. The king lives on this earth like a visible Indra the people cannot prosper by violating his orders. Whatever a king does is right, that is the settled rule because the protection of the world is entrusted to him and on account of his majesty and benignity towards all creatures. As a husband though worthless must be always worshipped by his wives in the same way the king though feeble should be worshipped by his subjects. Through fear of the king's command the people do not swerve from their duties. The subjects are purchased by the king's austerity he is their master therefore they should submit to his command their pursuits of

agriculture, pasturage and the like (vārtā), depend upon the king.* In this extract it is categorically stated that the king should be honoured irrespectively of his personal qualifications, and his orders obeyed without reference to their moral justification. Whether the further implication of this theory as involving absolute non-resistance on the part of the subjects was realized by the author, it is impossible to say. But there can be no doubt that the above passage marks the culmination of the Hindu doctrines of submission and obedience and makes the closest approach to the Western theory of Divine Right.

And, yet while sufficiently emphasizing as above the principle of monarchical authority, the authors whom we are now considering are careful to re-iterate, however partially, the principles tending to check the abuse of the king's power. These writers, to begin with, repeatedly express the idea that the king is the universal protector.† The duty of protection moreover, is enjoined by means of the usual

* Quoted, *Mitrāmśra*, op. cit p 22.

† The *Garuḍapurāṇa* (vide *Mitrāmśra*, op. cit p. 30) declares that the king is the strength of the weak. A passage of the *Kālikāpurāṇa* (Ibid p. 30) states that the king is the son of the sonless, the riches of the poor, the mother of the motherless, the father of the fatherless, the protector of those who have no supporter, the husband of the widow, the servant of those who have none such and the friend of men. *Bṛhaspati* (Ibid p 24) declares that the king (*rājan*) is so called because he gladdens (*rañjayati*) his subjects with the fourfold division of his troops and because he shines in his own person. A text of *Kātyāyana* (Ibid p 30) mentions that the king is called the preceptor of those who have none, the home of the homeless, the son of the sonless, and the father of the fatherless.

sanctions * It should further be observed that as in the Manusamhitā, the conception of the king's divine creation is here held to involve his divinely ordained duty of protection rather than his divine right to rule †

The Brihaddharmapurāṇa (Uttarakhaṇḍam III 10 11) states that the king who protects his subjects acquires the sixth part of their spiritual merit and performs as it were a thousand Vivamedhasacrifices. According to the Lārkaṇḍeya purāṇa (XXVII 31) the king gains a portion of righteousness by protecting his subjects. The king we are told in the Agni purāṇa (CCXXII 7; 9 11) who oppresses his subjects shall live for ever in hell. The person who protects his subjects the author continues lives as it were in heaven while hell is the abode of the man whose subjects are not protected. The king earns a sixth part of the merits as well as the demerits of his subjects. He acquires virtue by means of protection and incurs sin by its default.

† Cf. Matsya Purāṇa (CCXXVI 1) where the king is said to have been created by the Self-existent One (i.e. Brahmā) for the purpose of inflicting punishment and of protecting all creatures. For the view in the Manusamhitā vide p. 160 supra.

CHAPTER VI.

THE COMMENTARIES OF MEDHĀTITHI, VIJÑĀNESVARA,
AND APARĀRKA—THE JAINA NĪTIVĀKYĀ-
MRITAM AND SHORT (LAGHU) ARHAN-
NĪTI. CIRCA 900—1200 A. D.

I

General tendencies and characteristics of political ideas in the commentaries—Rājadharmā and Daṇḍanīti—The duties of kingship are not limited to the Kṣatriya order, but apply to all rulers of territories—The king's duty of protection is not confined to the taxable classes alone, but it extends to all subjects—The duty of punishment is compulsory, not optional—The right of the subjects to take up arms extends to normal times—The right to rebellion on the ground of incompetency of the ruler

II

Character of the Nītivākya-mṛitam and the Laghu-arhan-nīti—Herapachandra's view of the origin of the science of polity (rājānīti)—Somadeva's doctrine of the king's divinity and of the duty of the subjects with reference to their ruler

I

We have endeavoured in the preceding chapters to describe the more or less connected theories of politics that are presented by the Hindu authors. The writers who shall immediately occupy our attention in this chapter, namely, the commentators of the two great Smṛiti treatises of Manu and Yājñavalkya, fail from their very nature to formulate such theories. On the contrary they touch, in the

course of their survey of the rājadharmā sections of the original works on some of the points raised therein. The scholiasts, moreover are distinguished from the earlier authors by their peculiar method which involves as we shall presently see, a curious admixture of verbal interpretation and reasoned argument. With all these disadvantages the authors whom we are now treating deserve to occupy an important place in the history of Hindu political ideas. To them belongs the credit of clarifying the conception of the king's duties which was in danger of being obscured by a narrow and pedantic interpretation of the canonical texts and in the case of Medhātithi the greatest of them all that of amplifying, as well the rights of the subjects beyond the point reached by the canonists.*

Before taking up the theories of these authors relating to the king and his subjects let us consider briefly Medhātithi's treatment of the allied, if not identical concepts of rājadharmā and dandanīti. To understand this point it is necessary to remember

The three great scholiasts of this period whom we propose to treat in this section are Medhātithi, Viśhvasvāmin and Aparārka. The first is the author of the oldest extant commentary of the *Manusmṛiti* and he is believed to have lived not later than in the tenth century A. D. (Vide Bühler & B. B. L., Vol. XXV Introduction p. cxxi). The second wrote the famous commentary on *Yājñavalkya* called the *Mitākṣarā* which is to this day the text book of all schools of Hindu law except that of Bengal. He is said to have flourished in the latter half of the eleventh century A. D. (Vide West and Bühler's *Digest* p. 17). The third author Aparārka who wrote a fresh commentary on *Yājñavalkya* is said to have been a king of Western India and to have reigned between 1140 and 1180 A. D. (Vide Mayne *Hindu Law and Usage* seventh edition p. 24).

that much as some authorities (especially the Śānti-parvan) expressly declare some branches of the rājadharmā to be based not upon the Vedas but upon reason and experience,* the association of this concept with the great doctrine of varnāśramadharmā would of itself suggest its descent from the Vedas which form the primary source of the dharma. We must further observe in this connection that Manu (VII 43) applies the epithet eternal (śāśvati) which is usually reserved for the Vedas alone to the science of Dandanīti, while the Śāntiparvan (ch. LIX) ascribes its creation to the god Brahmā. Medhātithi takes up an attitude that is opposed to these tendencies. Commenting on the opening verse of Manu's seventh chapter he writes, "Here indeed the duties having other authorities (than the Vedas) for their source are explained. All duties have not the Vedas as their source. With regard to duties having other sources, what is not inconsistent with the sacred canon is explained." Again, while expounding the verse in which Dandanīti is characterised as above, Medhātithi explains away the term 'eternal' by calling it a mere eulogy. In the above extracts, it will be observed, the author's meaning is expressed in a negative fashion. We may perhaps put it positively by saying that rājadharmā is based, in so far as these are not inconsistent with the canon, upon the lessons of reason and experience, and that 'dandanīti' is a science of historical origin.

Turning to the next point which relates to the concept of kingship, we may begin by observing that the canonical doctrine of varnāśramadharmā implied

* Cf. pp. 197—198, supra

that the duty of protecting the people was ordinarily reserved for the Kṣatriya alone. Accordingly Manu, while introducing his description of the king's duties expressly ascribes them to an individual of the Kṣatriya caste*. Medhātithi however applies his mixed method of verbal interpretation and reasoned argument to enlarge the connotation of kingship beyond the bounds of the Kṣatriya order. He writes (commentary on VII 1) 'The word 'rājan' (king) here does not signify the Kṣatriya caste alone, but (it) applies to a person possessing (the attributes of) coronation, lordship and such other qualities. Therefore the expression 'what conduct the nripa (king) should follow' is used. The use of the word nripa signifies the right of one possessing the lordship of a territory. Commenting on another verse† he says 'By (the use of) the words 'by the Kṣatriya etc.' it is indicated that the Kṣatriya alone is entitled to (the possession of a) kingdom. The expression implies that in the Kṣatriya's absence assigning (atidesa) (of his functions) is also to be allowed otherwise there would follow the destruction of the subjects. Lastly while explaining the first verse of the eighth chapter of Manu Medhātithi states 'The word parthiva (i.e. king) signifies that this precept applies not merely to the Kṣatriya but also to another lord of territory who is a ruler on earth. For otherwise the kingdom would not be stable. The gist of the above extracts may perhaps

Manu VII 2: 'A Kṣatriya who has received according to the rule the sacrament prescribed by the Veda must duly protect this whole (world). S II I Vol XXV p 216

† VII 2

be expressed by saying that the incidents and duties attached to the Kṣatriya ruler apply to anyone else who discharges the functions of the former. This conclusion is based, as far as the reasoned argument is concerned, upon the plea that the observance of the limitations imposed by the sacred canon upon the ruler is a necessary condition of the security of the kingdom.

The above conception of the king's duties as transcending the limitations of the Kṣatriya order is amplified by Viṣṇāneśvara. Commenting on the introductory verse of Yājñavalkya's chapter on judicial procedure he observes, "The use of the word 'nṛpa' shows that this duty (namely, that of protection) does not belong to the Kṣatriya alone, but (it extends) to any other person that is occupied with the task of protecting the people (prajāpālanādhikṛtasya). Explaining an earlier verse * he states, "Though this aggregate of kingly duties is laid down with reference to the king, it should be understood to apply to (an individual) of another caste who is engaged in the work of governing a district, a province etc. (viṣayamaṇḍalādhiparipālanādhikṛtasya), for the word 'nṛpa' in the texts 'I shall speak of the kingly duties (rājadharmā)' and 'as the king (nṛpa) should behave' is separately used, and because the collection of taxes has protection for its object, and, protection depends upon the exercise of the sceptre." According to these passages, then, the duties of kingship appertain not only to the Kṣatriya ruler, but also to all other persons including governors and district officers who are charged with

* Yāj I 368.

the task of government. This contention, it should be observed, is upheld as far as rational argument is concerned by the old principle of the necessary connection between taxation and protection.

Aparārka, finally, inculcates the above idea of the incidence of the Kṣatriya duties by insisting that the government of the subjects necessarily involves the fulfilment of the duties attached thereto and in particular that the collection of taxes involves the duty of protection. He observes in the course of his commentary on a verse of Yājñavalkya *

All this is laid down for the Kṣatriya who governs the kingdom. When however a non Kṣatriya does the duty of a Kṣatriya he too should perform this whole (set of duties) by virtue of the maxim from having recourse to that (particular) occupation follows the acquisition of that particular duty and because the protection of the people is involved in the acceptance of taxes. Every one, indeed who offers wealth seeks a benefit inseparably attaching to himself. Moreover offering of taxes has no other reason than self protection. Therefore it is proved that he who takes the taxes is bound to protect the people."

Next to this remarkable extension of the canonical duties of the king beyond the charmed circle of the Kṣatriya order † may be mentioned Medhātithi's

Yāj. I 301.

† The above discussion relating to the incidence of the Kṣatriya duties may we think be connected with one of the most important events in the history of India during this period namely the rise of the Rajputs. In the interval of six or seven centuries between the death of the emperor Haryas c. 618 A. D. and the Muhammadan conquest Rajput houses

insistence upon the principle that the king's duty of protection is applicable to all classes of his subjects. The key to the author's conception lies, we think, in the connection traceable as early as in the *Dharmasūtras** between the collection of taxes and protection. This, when interpreted in the narrow dogmatic sense, would lead to the view that the taxable classes alone were entitled to the benefit of the king's protection. Medhātithi's observations may be construed as an emphatic denial of this extreme dogmatic position. Manu states in one place, "A Ksatriya, who has received according to the rule the sacrament prescribed by the Veda, must duly undertake the protection of this whole (world)"†. Commenting on this verse Medhātithi writes that the use of the word 'sarvasya' (of the whole) in the text shows that it includes the subjects paying taxes along with those who are poor and friendless. Again while commenting upon another verse which enjoins the king to restore stolen property to the owners thereof,‡ Medhātithi says that by the mention of the word 'all' in the text it is to be understood

ruled most of the kingdoms of Northern India and the Deccan. These families, in spite of their claim to Ksatriya ancestry, derived their origin in reality from the Hinduised foreign immigrant or indigenous tribes (Cf Vincent Smith, *Oxford History of India*, p 172). In these circumstances the relations of the ruling families with their subjects would, it might be supposed, become a burning question of the times, and this, it might be, was treated by the canonical scholasts in the passages quoted above.

* Vide p 65, supra

† VII 2

‡ VIII 40 "Property stolen by thieves must be restored by the king to (men of) all castes (varṇa) a king who uses such (property) for himself incurs the guilt of a thief "

that property should be restored even to the *chandālas* ' * The third extract bearing on this point is more important than the preceding ones in as much as it is based upon sound reasoning. Manu writes in one place, ' By protecting those who live as (become) Aryans and by removing the thorns kings solely intent on guarding their subjects reach heaven ' * Commenting on this verse Medhātithi states ' By them (namely those who live as become Aryans) are understood the indigent the friendless and the Śrotriyas who are exempt from taxes and tolls. Attainment of heaven by protecting them is justified. In the case of others since (protection is) purchased by means of subsistence (*vrittīparīkṛitattvāt*) its denial gives rise to sin—while from the exchange of propitiation by (means of) protection follows only the absence of sin and thence heaven (is attained). Here it will be observed the author agrees that there is a difference in the nature of the obligations devolving upon the king with reference to his taxable subjects and the rest for while the protection of the former is held to ensure the king's immunity from sin that of the latter is conceived merely as ensuring a spiritual reward. Medhātithi indeed goes so far as to refer in the immediately following sentence to an opinion according to which Manu's text relating to the king's attainment of heaven is a mere recommendation (*arthavāda*). In the next passage however the author takes up a bolder position and affirms that the king's protection of the non-taxable classes is his obligatory duty. He writes ' Even in the matter of protecting those who do not pay the

taxes, the (duty) laid down by way of livelihood belongs to the king." This lesson is driven home in the following lines with the help of analogies. "Artisans employed in crafts as a means of livelihood are made by the king to perform work by way of taking taxes from them in accordance with the rule 'artisans should perform some required work every month,' so the king engaged in the performance of his duties and in protecting the people is made by the sacred canon to protect the Aryans (in the same way) as he is made to perform obligatory duties, just as the householder keeping the sacred fire performs obligatory duties in accordance with the sacred texts recommending desired objects, not for the attainment of heaven " "These (duties)," the author sums up, "are not uttered for their power of producing (any visible) result, yet they are done, similarly this (viz. the king's duty of protecting the non-taxable classes) should be understood "

Allied to the above idea of Medhātithi—namely that the king's duty of protection extends to all classes of his subjects—is the opinion of Aparārka that the duty of punishment of the guilty is a compulsory duty. The duty of punishment, it seems, much as it is inculcated by the Hindu authors, is often supported as in the following passage from Yājñavalkya by the promise of spiritual rewards alone. In accordance with the rule of interpretation applicable to such cases this would signify that the above duty was not compulsory, but optional. Aparārka meets this possible argument by quoting the canonical texts that impose penances for the king's default in the infliction of punishment. He observes with reference

to a verse of Yājñavalkya requiring the king to punish the guilty * By these words it is not to be understood that punishment is a duty performed for some particular object (and therefore optional) Because Vasiṣṭha prescribes penances for not carrying out this function 'if people deserving punishment are set free the king should fast one (day and one) night, and the purohita three (days and) nights if those not deserving punishment are punished the purohita should perform a krichchhra penance (and) the king should fast three days and nights' **

From these extracts that emphasise the king's essential duties of protection and the punishment of the guilty let us turn to those which seek to extend the rights of the subjects First among these may be mentioned the right of taking up arms 'Twice born men' says Manu in one place 'may take up arms when (they are) hindered (in the fulfilment of) their duties when destruction (threatens) the twice-born castes (varna) in (evil) times in their own defence in a strife for the fees of officiating priests and in order to protect women and Brāhmanās he who (under such circumstances) kills in the cause of right commits no sin' † Commenting on these verses Medhātithi first explains the meaning of the author by saying 'When the king is neglected and destruction ensues recourse should be taken to arms At other times however when the kingdom is well governed the king himself protects his people Thus this is the sense' Then he proceeds to amplify the author's precept in the following way

“The king indeed cannot stretch his arms to reach every individual. There are some wicked persons who obstruct even the royal officers (that are) very valorous and intent upon (the discharge of) their duties. But one always fears a person wielding weapons. Hence using weapons on all occasions is justified.” In the following lines Medhātithi reverts to the rule of Manu and says, “On such occasions recourse should be taken to arms for protecting one’s own wealth and relations. According to others the interests of other people also (should be served) in such times.” In the above extract, it will be observed, the author extends the canonical rule so as to open to the subjects the right of bearing arms even in normal times, and for the purpose of self-defence as well as the protection of others. This is based on the very sound argument of insufficiency of the state administration and the value of self-help.

We may mention in the last place a remarkable passage inculcating what may be called the right to rebellion on behalf of the subjects. Manu says in one place,* “The (man), who in his exceeding folly hates him, will doubtlessly perish; for the king quickly makes up his mind to destroy such a (man).” This injunction, Medhātithi observes, applies when men seek the kingdom out of sin (*pratyavāyāt*), but not when they do so out of longing for a desired object (*abhipretārthalābhena*). “By seeking redress from an incompetent king,” Medhātithi explains in the same context, “payment of the king’s judicial dues becomes a waste of money. The accumulated wealth too assumes a different complexion through

witnesses 'changing their minds and prospective wealth does the same' This passage evidently involves a deliberate modification of the canonical doctrine relating to the submission of the subjects. Rebellion the author implies is justified provided it is based not on the dust of power but on what may be called the will to sovereignty. This startling doctrine is characteristically supported by the plea of the public good in as much as the author's argument turns upon the inability of an incompetent ruler to serve the interests of his subjects.

II

While the great commentators of the *Smritis* maintain on however modest a scale the earlier traditions of original and vigorous speculation the authors whom we have now to consider do not it seems to us present any points of original interest so far as our point of view is concerned. This result may we think be explained in the case of the latter writers by considering the circumstances in which they were placed. The Jaina canon unlike that of the Buddhists seems to have been wanting in germs of political thought that might be developed in later times. The Jaina writers of this period it may be further remarked had the misfortune to live in an age when Hindu political thought had passed its meridian and there was nothing in their genius that might compensate for the lack of outward inspiration. Hence when they undertook the systematic examination of the phenomena of the State they had no other alternative than to copy more or less completely the rules and principles that had been

bequeathed by their Brahminical rivals in the past.

Of the two works which we propose to examine in the present section the first in chronological order is the Nectar of the Maxims of Polity (Nītivākyaṃrītam) of Somadevāsūri, who flourished sometime in the tenth century A. D. In matter and in form it agrees most closely with Kauṭilya's Arthaśāstra. It is in fact a poor copy of the latter work, although its author characteristically conceals his debt to the earlier writer. The second treatise is the Laghu-arhannīti of the renowned Jaina divine and scholar Hemachandra (1089-1173 A.D.). It consists of four sections (adhikāra) dealing successively with the good qualities of the kings and the state officials, the rules of warfare and public policy, the administration of justice (vyavahāra) and, lastly, penances (prāyaścitta). It is therefore in spite of its title a work of the same nature as the Brahminical Smṛitis.

The Laghu-arhannīti, it appears to us, makes no contribution to political theory properly so called. Nevertheless it deserves a passing consideration in this place because of its remarkable theory relating to the origin of the science of polity (rājanīti). Once upon a time, the author says in opening his treatise, the Lord Mahāvīra was staying in a garden outside Rājagṛha, attended by Gautama and other pupils. King Srenika (Bimbisāra), having heard of his arrival, sallied forth to meet him, and after the usual salutation, asked him a question in the following terms: "By whom, O Lord, were the rules of the science of polity (rājanīti) disclosed in the past, what were their kinds, and what was their nature?" In reply

the sage declared that the first king in the present age was the chief Jina Rishabha. This personage found the people of India (Bhāratas) plunged in misery and subject to the snares of the Iron Age in consequence of the trees of plenty having lost their potency through the influence of time. Out of pity he tore out the primordial law (dharma) and disclosed the division into castes and orders, the rules relating to the sacraments, the means of livelihood and the principles of judicial administration, the rules of public policy followed by the kings, and the means of founding towns and cities—in short, all sciences and all duties relating to this and the next world.* The above story obviously belongs unlike the theory of the origin of dandanīti in Ch. LIX¹ of the Śānti parvan to the realm of pure mythology—in fact it is based upon the Jaina canonical account of the mythical prophet—king Rishabha such as is found for example in the Kalpasūtra †. Nevertheless it is interesting as showing how the Jaina author ingeniously contrives to annex the Brahminical science to the literature of his own sect by claiming for it an orthodox origin.

Turning to the Nītivākyaṃritam we find that the only branch of speculation touched by the author—and here again as we have already observed he is anything but original—is the theory of kingship. With Kauṣilya Somadeva believes the king to be the root of the seven limbs of sovereignty (prakṛitis).

With the king as their root he writes ‡ ‘all the

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† Cf. 8 B. I. V. d. XVII pp. 291-292.

‡ p. 62

prakritis become (fitted) for fulfilling their desired ends, (but) not those without the king” In the following extract Somadeva repeats the familiar view of the paramount importance of the king’s office from the point of view of the subjects “The king is the cause of the Golden Age, if he protects the people justly, the quarters satisfy all desires of the subjects and the god Indra pours forth rain in the proper season” * With this is combined the old doctrine of the king’s divinity which, as before, is based upon his function of protecting the people. “All the guardians of the quarters,” Somadeva writes,† “truly wait upon the king. Therefore though the king is an intermediate guardian of the quarters, he is held to be the best of them” In another passage the king is declared to be the only visible deity on the ground that he assumes the forms of the Creator (Brahmā), the Preserver (Viṣṇu) and the Destroyer (Śiva) according as he fulfils his three separate functions. Somadeva, moreover, follows the authority of the Brāhmana writers in inculcating the duty of obedience upon the subjects The king’s orders, he says, must not be transgressed by any one, and the king should not tolerate even his own son who disregards them.‡ It should, however, be observed as indicating the strong monarchic

* p 66

† p 114

‡ p 64 In the Digests of the Jaina Sacred Law belonging to this period, it may be observed in this connection, loyalty to the king is enjoined as a religious duty Thus both Haribhadra (fl latter half of the 9th century A D) in his Dharma-vindu (I 31) and Hemachandra in his Yogaśāstra (I 48) include the act of refraining from disrespect to the king in the list of duties that are binding on the householder.

leaning of the author that he ignores the principles imposed by the earlier writers for the purpose of checking the abuses of the king's power. On the contrary he contents himself with an impotent sigh when considering the case of a bad ruler. If even a king who is a god he asks were to keep the company of thieves how should the welfare of the people be secured ? * Further on he states that the king's commission of wrong like the ocean's crossing its shores the sun's nourishing darkness and the mother's devouring her own child is the fruit of the Iron (Kali) Age †

CHAPTER VII.

THE LAST PHASE—THE ESSENCE OF POLITY (NĪTISĀRA) OF ŚUKRĀCHĀRYA—MĀDHAVA'S COMMENTARY ON THE SMRITI OF PARĀŚARA—THE RĀJANĪTIPRAKĀŚA OF MITRAMISRA, AND THE NĪTIMAYŪKHA OF NĪLAKANTHA CIRCA 1200—1625 A D.

I

Influence of the Moslem conquest upon political thought—The Sukranīti is a work of compilation but contains original elements—The conception of Nītiśāstra and of its use as compared with that of the other sciences—The king's rule by virtue of his personal merit, and the equivalence of his functions to those of the deities—The doctrines of perpetual dependence of the subjects upon the king and of the king's immunity from harm—Principles tending to counteract the abuses of the king's authority —(1) the king is the servant of the people by divine creation, (2) the distinction between the good king and the tyrant, (3) the right of deposition

II

The king, according to Mādhava, is an incarnation of the gods and he is created out of divine elements—The incidence of the rights and duties belonging to the Kṣatriya ruler

I

In the course of our survey of Hindu political thought in the preceding chapter, we have brought down its history to the period of the great catastrophe which overtook the land in the eleventh and twelfth centuries A D,—we mean, of course, the conquest

of Northern India by the arms of Islam * The works that we have to consider in the present place — the Śukranīti no less than the commentary of Mādhavācārya and the two great mediæval Digests incorporating separate sections on the rules of polity (Nīti) — belong to a time when the foreign conquerors had established their unquestioned sway over some of the fairest and largest provinces of India. Yet it is noticeable that the chain of continuity in this case was not broken at all that the authors of this period in other words follow however modestly the track laid down by their great predecessors. Indeed if we have to look for any direct trace of the influence of foreign rule in the field which we are now treating we shall find it perhaps merely in the scantiness and the pronounced dogmatic tendency of the latest phase of the indigenous thought.

The Śukranīti which in spite of its complex and miscellaneous nature represents the literature of Nīti during this period is the last notable monument of the Hindu genius of political speculation. It freely incorporates whole passages and even extracts from the old literature on polity †. But it is distinguished as we hope to show presently from other mediæval compilations of a similar nature by the

Hemachandra lived from 1083 to 1173 A. D. The Indian invasions of Sultan Mahmud of Ghazni began c. 1000 A. D.

† Thus to confine ourselves to the first chapter of the Śukranīti we find that Sukra I 22^b = Kāntiparvan (XXXIX 67^b); Sukra I 61-62 = Kāmandaka I 9 10; Sukra I 71 = Manu VII 4; Sukra I 97 101 = Kāmandaka I 46 27; 49; 59 10; 67 44.

freshness, not to say, originality of its outlook upon certain standard branches of political theory.*

Śukra applies to his own work the title (Nīṭisāra) that was used by Kāmandaka as the designation of his treatise. His conception of the science, however, is somewhat different from that of the older writer. To him Nīṭisāstra is much more than the Art of Government in the stereotyped monarchic State. Thus it is significant that while Kāmandaka addresses himself specifically to the kings,† Śukra introduces his work by stating in a general fashion that it has been written for the benefit of kings and others whose span of life is too short to permit the study of the archetype of Nīṭisāstra prepared by the god Brahmā.‡

* The Sukranīti is attributed to Sukrāchārya, the preceptor of the demons, but it was doubtless produced by an unknown author of the late mediæval period who aspired to cast the halo of venerable antiquity around his production by tracing its creation back to an indefinite past. Its exact date is still uncertain. Gustav Oppert who published the standard edition of this work held (Preface, p. viii) that it "belonged to the same period which produced the Smṛiti and the early epic literature." His view which necessitated the belief in the existence of guns and gunpowder in Ancient India is at the present time completely discredited. One of the latest contributors to the controversy regarding Sukra's date is Prof. Benoy Kumar Sarkar (*Positive Background of Hindu Sociology* Vol. II Part I, pp. 65-67).

† Vide Kāmandaka I 8 : upārjane pālāne cha bhūmerbhūmiśvaram prati etc. Here the words 'bhūmiśvaram prati' 'to the rulers of the earth' are used, as the commentator remarks, on the ground that any other person is not eligible to the science of polity (anyasya tu rājavidyāyāmanadhikārāt).

‡ Vide Sukra I 2-3 "The divine Self-existent One revealed the Nīṭisāstra consisting of one hundred lakhs of verses for the good of the world. The summary of that work, concise and filled with argument, (has been prepared) by ourselves Vasistha and the rest, for the sake of ensuring prosperity and for the good of kings and others who enjoy a limited tenure of existence."

In the same context we are told that *Nītiśāstra* is the source of livelihood of all persons (*sarvopajīva* *lam*) and maintains the established usage of the people (*lokasthītikrit*). In accordance with this conception of the science we find the author devoting a separate chapter of his work* to the subject of general (*sādhārana*) *Nītiśāstra* which is conceived by him to be applicable to all persons. In this chapter he gives a list of moral maxims and rules of good conduct which he declares at its end † to pertain to the king as well as the subjects.

Thus politics or the art of government in Śukra's system is not an independent branch of study, but is merged in a science of general morals ‡. What, then, is the use of this comprehensive science especially in comparison with the sister sciences. As the rules of kingly policy are conceived to be the core of the *Nītiśāstra* it follows that its primary use must be for the king. On this point Śukra expresses himself quite clearly. Since the *Nītiśāstra* he says at the beginning of his book, is the root of virtue, wealth and desire and bestows salvation it should be constantly studied with care by the king through its knowledge kings and others conquer their foes and gratify their subjects. Further on the author observes that the primary duty of the king (*vi* the protection of the subjects and the chastisement of the wicked) is impossible without *Nīti*; indeed the neglect to follow *Nīti* is the king's principal loophole for attack.

* Ch. III

† III 374

* For a similar conception of *Garuda Purāṇa* (VIII 1 quoted p. 23 supra)

and increases his enemies and diminishes his strength. The king who gives up Nīti and becomes self-willed (svatantīa) suffers pain *. The author continues in the same strain through the following lines, but these do not add anything to the argument.

Nītiśāstra, then, is the *sine qua non* of the king's successful administration. But since it is much more than an Art of Government, it necessarily fulfils a higher purpose than the interests of the king alone. The author's view in this matter is presented in connexion with a remarkable estimate of the relative values of Nītiśāstra and the parallel sciences. The contrast first turns on the scope of the two sets of studies. Other branches of knowledge, Śukra states, enlighten the people only on one aspect of human activities (kriyāikadeśabodhīni), but Nītiśāstra is the source of livelihood of all creatures and maintains the established usage of men. Turning to the next point the author states the case against the other studies in the following manner. May not, he asks, there exist the knowledge of words and then meaning without Grammar, or that of ordinary categories without reasonings discussed in Logic, or that of the regulation of rules and actions without Mīmāṃsā, or that of transitoriness of the body and such other things without Vedānta? These branches of knowledge, Sukra grants, teach their respective doctrines and are constantly upheld by those persons who severally follow their teaching. But, he asks, what does this skill in intelligence which is derived from these sciences avail to persons

engaged in their ordinary occupations ? While such are the limitations of the above sciences *Nitiśāstra* the author conceives stands on a quite different footing. Without *Niti* he says the maintenance of the established usage of men is impossible just as that of the body is impossible without food *. In the above extract, it will be observed primacy is claimed for *Nitiśāstra* on two grounds which, yet are closely connected with each other. Firstly it is urged that this science unlike the rest fulfils the interests of all people. In the second place, and here we touch on the intense realism of Śukra's thought,—while Grammar Logic *Mīmāṃsā* and even the holy *Vedānta* are conceived by the author to be merely theoretical studies having no importance even within their own province and no bearing on the ordinary affairs of men *Nitiśāstra* is held to be the most practical science it is in the author's expressive words as indispensable to the social order as food is to the human body.

We may begin our analysis of political ideas in the *Śukranīti* by considering the author's treatment of the concept of seven factors of sovereignty. After giving the standard list of those factors he writes

Among these the king is declared to be the head the minister (is) the eye the ally the ear, the treasury the mouth the army the mind while the fort and the territory are the two arms and legs † In this striking passage is presented for the first time so far as we are aware in the history of Hindu political theory a complete analogy between the factors of

sovereignty and the organs of living beings. This, we think, is not sufficient to warrant the conception of organic unity of sovereignty, although it implies, without directly expressing the same, the notion of co-ordination of the factors thereof to a common end.

The theories of kingship in the Sukranīti, we think, are largely based upon those of the earlier writers, but they present some points of remarkable, if not original, interest. Sukra admits in one place that the king and the people are helpful to each other, for he writes, "The people do not follow their respective duties without the king's protection," on the other hand, the king does not prosper on earth without the people.* This passage, however, is preceded by two other verses which occur likewise in Kāmaṇḍaka† According to these the king when he is approved by the aged causes prosperity and rejoicing, but if he were not to be a perfect guide, the people would suffer utter destruction like a boat at sea without the helmsman. According to this view, then, the happiness as well as the misery of the subjects depends upon the varying quality of the king. With this is connected an idea that we have found to occur in the Mahābhārata,‡ namely that the king is the maker of the epoch. Time, Sukra says in one place, is divided according to the seasons (namely, the rainy, the cold and the hot), the courses of the stars, as well as the observance of good and bad along with greater and less conduct. As the king, the author continues, directs the observance of conduct, he is the cause of time, for if time were to be the authority, the fruit of good works

* I 66

† I 64-65 = Kam I 9-10

‡ Supra p 187

would not belong to the performer thereof * The conception of the king's office that is embodied in the above passage is not, as we have said an original one but a greater definiteness may we think, be observed in the present case in as much as the varying degree and quality of the conduct that is enforced by the king is brought by Śukra into relation with the astronomical and the seasonal measurements of time.†

Besides exhibiting the importance of the king's office from the point of view of the subjects the author mentions in justification of monarchical authority a doctrine which is shared by him with at least one other writer ‡ namely that the king rules his subjects by virtue of his merit Śukra is a great believer in the doctrine of karma and expresses himself on this point with characteristic emphasis

Karma alone he writes in one place gives rise to good and bad conditions on this earth the deeds done in a previous birth (prāktanā) are themselves nothing but karma who can even for an instant exist without karma ? § In the following lines he explains that the division of society into five classes namely the Brāhmaṇa the Kṣatriya the Vaiśya, the Sudra and the barbarian arises not from birth but from quality and merit (guṇakarmabhīḥ) In another

I 122

† It may be further observed in this connection that Śukra bases his conclusion in the above extract upon what may be called the doctrine of Free Will Śukra, indeed while believing in the joint operation of self-effort and destiny in the affairs of men inculcates reliance upon the former rather than upon the latter Cf I 111 148 10

The reference I 111 Nārada whose view is quoted pp 228 229 supra

§ 13

place he declares that men are directed towards virtue and vice by desires assuming such forms as would help the fulfilment of the deeds done in the previous birth, and he concludes that it is most certainly in accordance with such deeds that everything happens.* Applying this basic concept of Hindu thought to the specific case of the king, Śukra writes, "The king acquires supernatural lustre (tejas) by means of his austerities (tapas), and he becomes the director, the protector as well as the source of delight; the king sustains the earth by means of his work done in his previous birth (prāktana) as well as by his austerities (tapas)"† According to this view, then, the king rules his subjects by his own merit—merit conceived as consisting mainly in the sum total of deeds done in the previous birth. The doctrine is repeated in another passage where the author, we think, boldly alters a text of the Manusamhitā to suit his own theory. He writes, "The king becomes the lord of (both) the movable and the immovable beings, through his own austerities (tapas), taking (for that purpose) the eternal particles of Indra, of the Wind, of Yama, of the Sun, of Fire, of Varuna, of the Moon, and of the Lord of wealth (Kubera)."‡

* I 45-47 Śukra, indeed, is such a staunch believer in karma that he explains (I 49) destiny itself to be the work performed in the previous birth

† I 20 For a similar idea compare I 122 where sovereignty (svāmitvam) is said to be the fruit of austerities

‡ I 71-72 Jivānanda Vidyāsāgara, in his edition of the Sukranīti (p 17), prefixes to these verses another verse which is identical with Manusamhitā VII 3. This would make Śukra reproduce *verbatim* Manu's theory of the creation of kingship. The last-named verse, however, does not occur in Gustav Oppert's standard edition which has been uniformly followed in this work

The 11st passage obviously brings Śukra into line with the exponents of the doctrine relating to the divine nature of the king. Of the two forms in which this doctrine occurs in the earlier writings Śukra adopts the one that involves the equivalence of the king's functions to those of the deities. This is embodied in the lines immediately following the extract quoted above. As Indra we are told is capable of collecting his own dues and of protection, so is the king as the Wind propagates smell so the king directs the good and the bad actions as the Sun removes darkness, so the king directs men to virtue and destroys unrighteousness the king while punishing the evil deeds is Yama since the latter inflicts punishment like Fire the king is pure and appropriates his own dues from all persons for their protection as the god Varuṇa sustains the whole earth so does the king with his wealth as the Moon gladdens the people with its rays so does the king with his own merits and deeds the king who is able to preserve his treasure is as the god Kubera with respect to his jewels *

We have thus found in Śukra a twofold principle justifying the king's authority over his subjects. The king it is held is the maker of his age and rules by personal merit. With this is combined the notion that the king is a multiple deity by virtue of the resemblance of his functions to those of the deities. Let us next consider what privileges are claimed by the author on behalf of the king in the light of the above principles. We may begin by mentioning the remarkable passage which makes monarchy, as it

were, the natural and necessary condition of the subjects. "The king, although endowed with good qualities, may sometimes lack sovereignty over his subjects, but the latter, be they never so wicked, must not live without a king" The author makes his meaning clear in the immediately following passage by employing a bold mythological simile "As *Indrānī* (*i.e.* the queen of Indra) is never without a husband, so are the subjects never (without a master,"* Śukra, moreover, inculcates in the earlier fashion the duties which the subjects owe to their ruler. The people, he says in one place, should salute the king as if he were an incarnation of Visnu, and they should not divulge the king's secrets or even think of harming or slaying him †

The above represents only one aspect of Śukra's thought with regard to kingship. The other aspect is concerned as in the earlier works with the formulation of principles tending to check the abuses of the king's power. Thus in the first place the author insists that protection is the high duty of the king. "The gods kill and cast down the king who does not afford protection, the Brāhmana who does not practise austerities and the rich man who does not give alms" ‡ In another place where he mentions the eightfold occupation of the king, Śukra includes protection of the subjects in the category §

* I 93-94

† II 212, 231 Elsewhere (III 50) the author enjoins honouring of the king along with that of the gods, the preceptor, Fire, ascetics and the like,

‡ I 121

§ I 124-125.

While on this subject we may mention a remarkable dictum of Śukra which involves, we think, an extreme development of the old Hindu maxim of the co-ordination of taxation and protection. The king says the author in one place, having the aspect of a master was appointed by Brahmā to the service (dāsyatva) of the people, with his own share of the produce as his fee (svabhāgabhrityā) for the purpose of constantly protecting them.* According to this view then the king is the servant of the people by divine creation and he receives his share of the produce as his fee for the service of protection †

Besides insisting with the earlier writers upon the king's primary duty of protection Śukra follows them in making righteousness the rule of the king's conduct ‡ It is in this connection that the author distinguishes for the first time so far as we are aware in the history of Hindu political theory, between the good king and the tyrant from the point of view of the king's divine nature—a distinction which we think was not needed by the older writers because of their uniform inculcation of the primary duty of protection. The righteous king, Śukra says in one place is a part of the gods while the reverse

I 189

† It is instructive to compare the doctrine of Śukra with its counterpart in the work of Aryadeva (p. 209 supra). Both these writers categorically state the doctrine that the king is the servant of the people receiving his share of the produce as his fee. But while the Buddhist author apparently derived it as a corollary from the theory of Contract his Brahmin successor explicitly based it upon the king's divine creation. This divergence may tend to show how completely the Brahminical view of the origin of kingship had swept its Buddhist rival out of the field.

‡ I 67-69 Cf. Kām. I 12-17

who destroys righteousness and oppresses his subjects is a part of the demons.* In another place we are told that the good king is derived from particles of the gods, while his opposite is a part of the demons† Elsewhere Śukra divides kings into three classes, namely those endowed with the quality of goodness (satva), of darkness (tamas) and of passion (rajas), and he declares that while the first class of kings assimilates the particles of the gods, the second assimilates those of the demons, and the third those of men ‡

Finally, it must be observed that Sukra, however much he may insist upon the duty of obeying the king, is no believer in the doctrine of unlimited obedience. He counsels the subjects in one place to abandon the land ruled by a bad king§ In another place, without going so far as to sanction the right of tyrannicide, he concedes to the people the right of deposing bad rulers If the king, we are told, although high-born, becomes averse to good qualities, policy and strength (gunanīvaladvesī) and is unrighteous, he should be repudiated as the enemy of the kingdom (rāṣṭra-vihāśaka) In his place the purohita should instal a virtuous prince of his family for the protection of the kingdom after obtaining the approval of the subjects” ||

* I 70

† I 86-87

‡ I 29-35

§ III 43, 45

|| II 274-275 The above view may be connected with Sukra's insistence upon merit instead of birth as constituting the king's title to respect The king, he says in one place (I 182), is honoured not so much for his high birth as for his possession of the qualities of strength, prowess and valour.

II

When we proceed to examine the next class of works that falls within the limits of this chapter, we cannot fail to be struck with a sense of disappointment. The commentary of the distinguished scholar Mādhava on the *Sinfiti* work of Parīśara represents during this period the tradition of the canonical scholars just as the *Nītimayūkha* of Nīlakanṭha and the *Rājanītiprakāśa* of Mitrāmīśra may be held to be the representatives of the literature on polity (*Nīti*). These authors however present few theories of politics properly so called and none marked by original thinking. Beginning with Mādhava we find that he conceives the king to be an incarnation of God and connects this belief with the king's fulfilment of his elementary duty of protection. He writes,

As the divine incarnation in the form of Rāma and others came into existence for punishing the mighty Rāvana and others like him so the divine incarnation in the form of the king (*rājāvatāra*) is born for the purpose of punishing lowly beings like thieves and the rest * In another place Mādhava mentions in justification of the king's right of jurisdiction the old Brahminical doctrine of the king's divine creation out of the essences of the gods. He says,

In as much as the king by virtue of his being created from the essences of the Moon, Indra and other gods is competent to decide suits like the non payment of debts he should try the same †

We may next consider the author's treatment of the question relating to the incidence of the rights and duties pertaining to the Ksatriya ruler. The great scholiasts of the preceding epoch, as we have observed in another place, held these duties to be applicable to all rulers of kingdoms and even in one case to the subordinate executive officers as well * Mādhava characteristically adopts the contrary view, and upholds it by the method of dogmatic interpretation alone. He develops his argument in the style of the mediæval Hindu schoolmen by putting forward a preliminary objection (pūrvapaksa) and ending with the demonstrated conclusion (siddhānta). Commenting on a verse of Parāśara, he says, "It may be contended that in the words 'the king (rājan) should punish' [Parāśara I 60] the right even of the ruler of the kingdom (bhūpāla) to punish is indicated. How then can this (punishment) be said to be the special duty of the Ksatriya?" To this the author replies, "Not so, since in the section on the expiation of sins by the performance of sacrifices (avesti) the term 'rājan' has been explained by means of the office of a Ksatriya" † This argument is expanded by Mādhava in the following lines, but it is unnecessary to quote them here.

The above idea of kingship as an office applicable to the Ksatriya order alone is repeated by Nilakantha, who adopts the identical method of dogmatic interpretation. He writes in the opening passage of his work, "Now the word 'rājan' applies

* Vide pp 234-236 supra

† p 393, Bibliotheca Indica edition.

to the Kṣatriya alone not to one who is qualified for kingship. For it has been explained in the section on the expiation of sin by performing sacrifices (aveṣṭi) that kingship comes into existence after consecration while the canonical directions given beforehand in the words 'the king should be consecrated' can appertain to the Kṣatriya alone.'

Mitramiśra differs from both the above writers in his treatment of the concept of kingship. Indeed he follows the example of the great scholiasts of the former period in extending the duties of kingship to all rulers of kingdoms and even to the subordinate officials. His argument like that of the earlier writers depends upon verbal interpretation combined with the idea of the necessary relation between protection and the collection of taxes. He observes after quoting the first verse of Manu's seventh chapter

In these cases too (namely those of the texts cited by the author in the above context from the Smritis and Purāṇas), in the following words explaining kingly duties 'I shall explain the kingly duties' etc. the term king (rājan) implies by derivative interpretation a king possessing the lordship of a kingdom. Thus is the correct interpretation for by the above-quoted reasoning (viz. that of Viṇṇaneśvara) the word king (rājan) would signify the Kṣatriya in general. Further on he writes 'Though this body of kingly duties is explained with reference to kings it must be understood to apply in some sense to one engaged in protecting a part of a kingdom etc. who may be of a different caste. For in the extracts (from the Manusmṛiti) 'I shall speak of kingly duties and what conduct the king (nripa) should

follow,' the word 'nripa' is separately used, and the collection of taxes has protection for its object, while protection (itself) depends upon the exercise of the sceptre."*

* Ibid p. 14.

CONCLUSION

We have now brought to a close our survey of the political thought of the Hindu people extending for a period of at least two thousand and five hundred years. We have seen how political speculation beginning in the Vedic Samhitās and the Brāhmanas mostly as an adjunct of dogmatic interpretation of the sacrificial ritual entered upon a career of vigorous and independent growth in three more or less parallel branches of literature —the Dharmasūtras the Arthaśāstra and the Buddhist canon —of which the second underwent a virtual reconstruction at the hands of its great master Kauṭilya. The Rājadharmas sections and chapters of the Mahābhārata and to a much lesser extent those of the Manusmṛitī involve something like a synthesis of the Arthaśāstra material in harmony with the essential concepts of the older canon while the interesting work of the Buddhist Āryadeva fragmentary as it is represents incidentally an independent speculative tradition. In Kāṇḍakāya as well as in the minor Smṛitis and the Purāṇas the tendency towards decline is already manifest but an original departure is made by the great scholastics who boldly attempt to rescue the political ideas of the Smṛitis from the danger of lapsing into theological dogmas. The Jaina works on polity and law on the other hand have little independent interest as they for the most part echo the thoughts of the older masters. Finally amid the general decay of political speculation the Śukranīti makes itself conspicuous

by its refreshing originality, while the mediaeval Digests and commentaries on the works of Sacred Law which come within our purview deal in a more conventional way with the concept of kingship

Let us endeavour in this concluding chapter to sum up the leading concepts of the Hindu political thinkers and set them forth in the broader perspective of their relation to Western thought. It has, we believe, been abundantly made clear in the foregoing pages that the political ideas of the Hindus present in the main two distinct types, of which one is principally associated with the Brahminical canon, while the other forms the core of the *Arthaśāstra* and the *Nītiśāstra*. These two types, it seems to us, are related to each other not as religious and secular, but rather as generic and special, forms of speculation, and so far from flowing in independent channels they frequently cross and recross each other's path, furnishing thereby one of the strongest incentives to the development of political theory * In considering the generalisations that are attempted in the present place for the purpose of analysis and comparison, it will be well to make due allowance for the existence of these interrelated but distinct strata of thought

Beginning, then, with the fundamental issues, it is obvious that the polity of the Hindu thinkers corresponds neither to the *polis* of classical antiquity nor to the nation-state of modern times, but may be rendered more vaguely as a country-state. We may, however, observe that this Hindu polity is

* Cf pp, 80-81, 160, 215 etc supra

doubtless charged with an ethical meaning and purpose it is within its own limits a true partnership in a life of virtue. It is no doubt a fact that the king's office as the grand instrument for repressing the evil tendencies of man's nature is stressed in the Hindu theory as probably in no other system while monarchy itself is conceived by some of the authors as arising out of man's fall from a state of pristine purity*. But the monarch's function is not limited to the protection of the people from anarchy. To him above all is assigned the task of enforcing the scheme of duties (dharma) which it is conceived is the means of fulfilment of individuals and classes along the path of earthly bliss and heavenly happiness. This conception of the function of the king or the State may suggest comparison with the well known ideas of Plato and Aristotle but it presents we think on closer inspection at least two peculiar features. For in the first place the State represented in the Hindu theory by the office of the king does not directly promote the good life and is not a positive maker of goodness: it promotes virtue indirectly by the agency of the prescribed scheme of duties (dharma). In the second place the fulfilment of the individual through the State is not absolute but relative: it is a stage and a very necessary one in a course of progressive perfection of which the goal transcends the discipline of organised existence and consists in complete self-realisation †

Cf pp 93 94 161 170 171 174 178 etc supra

† The Hindu goal of life *moksha* or *nirvāṇa* may be thought to present a parallel to the State or the Augustinian conception of a spiritual city embracing universal humanity. But the

Let us next consider what ideas of the Individual's place in relation to the State are involved in the political theories of the Hindus. We may, we think, point out three lines of approach towards the solution of this problem. In the first place, the Hindu authors, as we have elsewhere observed, conceive the social order of which the king is a member as produced by the will of the Supreme Spirit, Brahman,* —a conception equivalent to the notion that society is an expression of the cosmic order or the universal law. Secondly, the theory of the king's divine creation in the Manusamhitā and the Mahābhārata was, as we think, formulated deliberately with the object of counteracting the individualistic tendencies of the Buddhist canon expressed in this case in its remarkable theory of Contract † Nevertheless and this brings us to the last point, the Brahminical idea of the social order implies that the Individual is charged with a bundle of duties which owe their existence not to the will of the king or the State

apparent likeness really masks fundamental differences. The Hindu view involves not merely the idea of communion or fellowship on the basis of absolute equality but that of complete identity, and it posits the unit of cosmic creation, not merely of cosmic humanity, conceived as the manifestation of the Absolute. Furthermore, it is not based on the notion of a sharp antithesis between the city of Cecrops and the city of God, but it holds the latter to be the crown and completion of the former. Thirdly and lastly, the Hindu idea, differing in this respect from the idea of St Augustine but resembling the notions of the Stoics, is not represented by a visible symbol on earth, but is realised in the inner nature of man.

* Of pp 60-61, *supra*

† Of p 172, *supra*

but is derived from the same source as the latter, namely the will of the Supreme Spirit. *

Turning to the other aspects of the Hindu political theory we may observe that it distinguishes although not completely between the concepts of the State and society—a distinction which could not have presented itself within the narrow limits of the Greek city-state. In the Brahminical social order it is true the king's function is envisaged in its entirety so as to include his political as well as his domestic activities, but his essential task it is repeatedly urged is executive government and the administration of justice † Next we may consider what we think to be the pivot of the Brahminical social scheme namely the differentiation of the ruling and the fighting Kṣattriya or king from the teaching and sacrificing Brāhmaṇa. This presents at first sight a remarkable analogy to the dualism of Church and State in mediæval European thought but a closer study reveals important differences between the two sets of ideas. For apart from the fact just mentioned namely the absence of a complete separation of the concepts of State and society in the Hindu theory it has to be remembered that the antithesis between the secular and the religious concerns and interests of man involving as its necessary corollary two distinct jurisdictions is foreign to the Hindu mind. On the contrary the Hindu view looking upon both as equally necessary in their proper places for the fulfilment of the individual applies itself

Also vid pp 15 16 supra

† Cf supra pp 67 161 162 etc

to their synthesis and reconciliation to the end of perfecting man's progressive nature. For the above reason the question of the Brāhmaṇa's position in relation to the Kṣātriya or the king has not, we think, the same significance as that of the mutual relations of Church and State in European theory.

The Hindu political theory, as we have repeatedly observed, is essentially the theory of the monarchic State,—resembling in this respect much of the mediæval and modern European thought and differing from the thought of classical antiquity. Let us then endeavour to set forth, more or less in relation to the parallel Western ideas, the principal features of the Hindu idea of kingship*. As we have observed elsewhere, the Hindu authors frequently declare the king to be created by the Divine will, and the Mahābhārata, in particular, suggests in its elaborate stories of the king's creation that kingship is the divinely ordained remedy for man's sin. The Hindu thinkers more often conceive the king to partake of a divine nature as embodying the essence of Viṣṇu or of the eight guardian deities, or at least by virtue of the resemblance of his functions to those of the gods. From these arguments follow as a natural corollary the duties of non-injury, obedience and the like on the part of the subjects with reference to their ruler†. These ideas and notions will at once suggest to the student of European thought striking analogies in

* A detailed comparison of the Hindu theories of kingship with the Western theories of Social Contract and of Divine Right is reserved for the Appendix.

† Cf pp 32, 94-96, 173-184, 225-229, 245, 254-257, 260, etc

the speculations of the mediæval Church. The Hindu writers, however more frequently mention in justification of the king's authority the essential importance of kingship from the standpoint of the Individual and the society*—a conception which, as we have just observed may be matched in Greek philosophical thought. Incidentally it may be noticed as illustrating the peculiar development of the Hindu view that Kautilya derives from his implied theory of Contract an additional plea for the king's prerogative of taxation while Śakra discovers a fresh basis of the king's rule in the latter's personal merit †

The above represents one aspect of the Hindu view of the king's position in relation to his subjects. The other aspect which links up the Hindu theory with the view of the mediæval Church and differentiates it from the theory of Divine Right, is concerned with the safeguards against the abuses of the king's power. Kingship to begin with is most often conceived in Hindu thought as an office and not as a lordship. We may prove this by pointing to the arguments noted above namely that the king is held in the Brahminical canon to be subject to the paramount law of his order imposing upon him above all the duty of protection that the maxim making the king's taxes his fee for protection runs almost through the whole of Hindu thought that even the exponents of the doctrine of divine creation contemplate protection to be the specific object of the institution of kingship and lastly that the Śāntiparvan explicitly

Vide pp 62-63 80 91 170 171 210 217 274 etc supra.

† Vide pp 131 136 "5, supra.

permits the subjects to abandon the king lacking in this essential qualification for his post * Besides thus insisting upon the duties of the king the Hindu authors sometimes, as we have seen, declare justice or righteousness to be the essential principle of kingship,—a view which naturally leads to the differentiation of the good king and the tyrant †

In developing the principles limiting the arbitrary exercise of the king's authority, the Hindu thinkers occasionally throw out principles and maxims which might be and have been taken to signify the idea of popular sovereignty ‡ Of the former kind is the plea advanced in two passages of the Śāntiparvan in favour of the people's right to tyrannicide Less conclusive, since it does not contemplate the whole people as participating in the right in question, is Śūkra's advocacy of the deposition of unworthy rulers. We may also mention in this connection, in accordance with the current opinion on this subject, the characteristic Hindu view of the relation of taxation to protection § To the latter class, that of maxims, belongs Śūkra's description of the king as the servant of the people by Brahmā's ordination, to which we may add the Buddhist Āryadeva's designation of the king as the servant of the multitude || Granting the validity of these arguments it may, we think, still be doubted whether the Hindu authors arrived at the true idea of popular sovereignty. In

* Cf pp 64-65, 97, 184-186, supra † Cf pp 100-101

‡ Cf the views of Profs P. N Banerjea and D R Bhandarkar, quoted, pp 65-66 footnote, supra Also cf Benoy Kumar Sarkar, *Political Institutions and Theories of the Hindus*, pp. 174-176 § Vide pp 65, 101, 188, 259 etc. || Vide pp. 209-210, 258

the cases mentioned above it will be noticed that the pleas in favour of the popular control over the King are put forward except in the dictum of Ārvadeva, along with the principles justifying the King's authority. In the second place the Hindu authors again with the solitary exception of Ārvadeva fail to connect their principles and ⁵maxims with the idea of the popular will as the source of the king's authority such e.g. as is involved in the Buddhist theory of contract. On the contrary the whole trend of their thought, as we have observed elsewhere * is in favour of the view that the king derives his office and his authority from the will of the Supreme Being. We are therefore led to the conclusion that though there were germs of the idea of sovereignty of the people in the Hindu theory these were never worked out into an independent and logically complete system.

The reflections of the Hindu thinkers on the art of government properly so-called, bear a striking resemblance as we have seen, to those of certain European thinkers notably Machiavelli †. In particular the Florentine's ruthless sacrifice of morality to political expediency finds its counterpart to a considerable extent in the ideas of the Arthashastra not to say those of the later canonical works of the Brāhmanas. We are particularly interested to notice in the present place that the Mahābhārata, while setting just bounds to Machiavellianism sanctions a limited departure from the strict moral law in furtherance of the interests of the State.

* Vide pp 6-66 footnote supra
133-136 supra.

† Vide pp 10-10

APPENDIX.

A Comparison of the Hindu and some Western theories of kingship.

In view of some recent attempts to establish points of analogy and contrast between the Hindu and certain Western theories of the king's origin, it seems desirable to consider the question with some fulness in the present place. Before doing this we think it necessary to mention a point that has, we hope, been sufficiently indicated above, namely that the Hindu theories do not admit of a clear-cut division into two distinct types, such as those of the divine and the human origin of the State, or of Social Contract and the divine creation of kingship.* Consider, for example, chapter LXVII of the Śāntiparvan which has been held† to represent the theory of social contract. In this case, as we have seen, Manu, the original king, is declared to have been first ordained by Brāhmā and afterwards to have entered into a kind of contract with the people‡. In an earlier verse of the same chapter and in the same context it is categorically stated that the kings are created by the gods. On the other hand the story of the creation of kingship in chapter LIX of the Śāntiparvan and in the Manusamhitā—the first of which

* The former division is adopted by Prof. Pramatha Nath Banerjea (op. cit. pp. 35-37), the latter by Prof. D. R. Bhandarkar (pp. 119-126).

† e.g. by Prof. D. R. Bhandarkar, loc. cit.

‡ Supra, pp. 174-175.

has been taken* to represent the divine creation of the king—combines as we have observed before the latter idea with the notion of a preliminary state of nature and in the first named instance that of a coronation-oath as well†

It thus appears that the Hindu theories involve at least in the later examples a composite blending of the ideas of contract and divine creation. With this preliminary word of caution we shall now proceed to compare them with the Western theories of social contract on the one hand and those of Divine Right on the other. As regards the first article it is well to begin by emphasising a point that is apt to be lost sight of in the current estimates of the two groups of theories. It appears that none of the Hindu theories approaches the character of a system and that while embodying rational speculation they are placed in a mythological setting. On the other hand Hobbes to mention one example of a Western political philosopher with whom it has been sought‡ to establish a close resemblance on the part of the Hindu thinkers was the author of a great system uniting in itself the principal currents of contemporary thought and he carried the spirit of rationalism to a point unknown even to his great forerunner Crotius.§ The Hindu theories of contract in this respect fall below the level attained by the European exponents

* See for instance I vol D D Bhandarkar loc cit

† Supra pp 176 178

‡ See for instance D D Bhandarkar op cit p 177

§ Cf Dunning *Political Theories from Plato to Montesquieu* pp 300-301

of the contract theory in the seventeenth and eighteenth centuries.

Passing from these general observations to the detailed study of the problem, it may be observed that the antecedent state of nature as conceived by the Hindû thinkers is, like the European, not of the same uniform type, but varies according to different authors. In Kauṭilya's Arthaśāstra and in chapter LXVII of the Śāntiparvan this makes the closest approach to the Hobbesian formula of *bellum omnium contra omnes*, while the description in the Buddhist Dīgha Nikāya and in chapter LXIX of the Śāntiparvan which involves an original state of perfect peace and happiness followed after an interval by strife and violence, is reminiscent of Grotius, Pufendorf, and Locke. As regards the specific nature of the pact terminating the period of anarchy, it would seem to follow from what has been told above that while Kauṭilya and the author of the Mahāvastu imply or mention what should be strictly called Governmental compact in Western political philosophy, the Dīgha Nikāya and chapter LXIX of the Śāntiparvan contemplate two or more successive compacts resulting in the creation of society and the state. The notion of contract, then, in the latter case alone would approach the view of Hobbes, who, as has been observed, first developed in Europe the conception of social contract as distinguished from the earlier Governmental Pact *

* For the above reason the generic designation of Social Contract given by Prof. D. R. Bhandarkar and other scholars to the group of Hindu theories that we are now considering, is, we think, not quite apposite.

Finally as regards the mutual relations of the sovereign and his subjects following from the contract, we have already endeavoured to show that the Hindu exponents of the contract theory with the exception of the Buddhist canonists who fail to connect their views with any system of rights and duties press their notion into service for the purpose of justifying the authority of the ruler and the essential prerogatives of his office. In this respect then the Hindu view must be distinguished alike from the theory of Hobbes and that of Locke and Rousseau *.

We have endeavoured to analyse the Hindu theories of kingship in so far as they present points of contact with the Western Social Contract. Let us next consider them from the point of view of their relation to the theories of Divine Right. As we have observed before the Hindu authors frequently lay down doctrines of the king's ordination by the Supreme Being and ascribe divine attributes to the ruler. These points suggest obvious analogies with the ideas of the Western thinkers. But the analogies turn out on a closer inspection to be more or less illusory. We do not refer for this purpose as some

It has been alleged (vid. D. R. Bhandardkar loc. cit.) as the ground of superiority of the Hindu theory over the Hobbesian that while the latter involved the irrevocable transfer of absolute power to the ruler the former contemplated the king to be still a servant of the people. We are not quite sure whether this view can be accepted as correct. For apart from the fact that even Hobbes permits the subject to escape his obligation to the sovereign in the event of the latter's failure to protect them from the evil of anarchy the Hindu thinkers as we have indicated before do not appear to have developed the case for popular sovereignty into a complete system (cf. supra).

have done,* to the distinction drawn in the Sūkianīti between the good king and the tyrant from the standpoint of the king's divine nature, for we hold this particular view to be peculiar to Śukra. Nor do we set much store by the contention† that the Hindu doctrine of the king's divinity is a metaphorical expression of the attribute of 'sovereignty, for we find that the king's title to rule is expressly derived at least in the Śāntiparvan from his absorption of Viṣṇu's essence‡. The true difference, it appears to us, is to be sought elsewhere. The divine creation of the king, it is conceived by the Hindu authors, imposes upon him the duty of protection rather than the right to rule, while his divine nature signifies that he is the manifestation of the Divine protecting powers of the universe,—of Viṣṇu, the World-Preserver, or of the eight guardians of the quarters.

Turning to the other points, it may be remarked that the king in the Hindu theory is not accountable to God alone for his actions. For much as we deny the claim of the Hindus to have worked out the idea of popular sovereignty, we might, we think, argue from the conception of the all-embracing Law (Dharma) that the Brāhmanas were conceived as qualified to supervise the conduct of the king§. Furthermore, it has been shown that none of the Hindu authors with the possible exception of Nārada countenances

* Cf the views of Profs P N Banerjea and D R Bhandarkar, quoted, p 182 footnote, supra

† See, for instance, Prof Benoy Kumar Sarkar in the *Political Institutions and Theories of the Hindus*, pp 179-180

‡ Supra, pp 181-182

§ Cf p. 112, supra

the unlimited obedience of the subjects on the contrary they develop in the course of their argument principles tending to justify the right of deposition and even that of tyrannicide *. Finally it may be mentioned that the Hindu theory contains no trace of the doctrine of indefeasible hereditary right which is an essential element of Divine Right in the Western system

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